

Conflict Transformation and Human Rights in Israel-Palestine.

Charles Elkins

Peace, Mediation and Conflict Research

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Supervisor: Anitta Kynsilehto

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Abstract

The Israeli-Palestinian conflict is currently embroiled in a deep-seeded political impasse. The source of this diplomatic deadlock is the separate theoretical trajectories characterising each side's approach to the conflict. Israel is more content with managing the conflict whilst the Palestinian leaderships desperately seek an outright resolution. Alternatively, at the grassroots level Palestinians are far more concerned with effectuating change in their own personal circumstances. This encompasses issues which do not directly relate to the resolution the Palestinian leaderships seek. A distinct switch in discourse from nationalism to human and civil rights is occurring on the ground. Such a switch exemplifies this political disillusionment and is indicative of the alternative theory conflict transformation theory. Parlevliet argues conflict transformation should be analysed in conjunction with human rights. In this regard, the current climate in Israel-Palestine offers a unique case study in which to apply and answer Parlevliet's call. In doing so, this study takes Lederach's contribution to the theory of conflict transformation and analyses it alongside Parlevliet's argument in relation to the Israeli-Palestinian conflict and the growing call for human rights. It demonstrates the multi-layered and holistic nature of the human rights argument by showing how the switch in discourse attempts to address issues along the micro-macro spectrum. In accordance with conflict transformation, the thesis draws upon a number of theories and methodologies to explicate how the switch to a human rights discourse circumnavigates a host of ideological and political barriers, which impede a possible resolution to the much protracted conflict. It concludes by exposing the cyclical nature of the micro-macro polemics, and how they ultimately reinforce each other in strangling any diplomatic possibility for opening up more alternative discourses to the current political approaches to the conflict.

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Glossary

Al-Nakba – A colloquial Arab term referring to the displacement of 700,000 Palestinian refugees during the first major Arab-Israeli war in 1948. Roughly translates as “the Catastrophe.”

Benjamin Netanyahu – Current Israeli prime minister serving fourth premiership after winning the nomination in last year’s 2015 general election.

East Jerusalem – Predominantly Arab half of the city considered the future Palestinian capital under the terms of the two-state solution. Israeli and Palestinian definitions differ. The former bases its definition on the municipal boundaries drawn by Israeli authorities after the Six-Day war in 1967. The latter refer to the 1949 Armistice Agreements. Israel’s occupation of East Jerusalem is deemed illegal according to international law.

Fatah – A Palestinian political party founded in 1959 and largest faction of the Palestine Liberation Organisation. Fatah are the current reigning party serving the Palestinian Authority. The party retains control in the West Bank but lost a general election in the Gaza Strip in 2006. No general elections have taken place in the West Bank since 2005.

Gaza Strip – One of two separate geographical territories constituting the proposed Palestinian state. Currently self-governing and located on the Mediterranean coast. The territory comprises a total area of 362 square kilometres with a population of approximately 1.6 million.

Green Line – The demarcation line distinguishing between west and east Jerusalem. Often used to refer to the pre-1967 borders by other nation states or international bodies like the UN.

Hamas – An Islamist political party with militant and social wings operating in the Gaza Strip. Elected into power in 2006 ousting the former ruling Fatah party. Founded after the first *Intifada* in 1987 as an offshoot of the Muslim Brotherhood.

Intifada – An Arabic term translated as “uprising” in English. In terms of the conflict there have been two intifadas each lasting several years. The first *Intifada* lasted from December 1987 until the Madrid Conference in 1991. The second *Intifada* took place from September 2000 to February 2005 in reaction to Israeli Prime Minister Ariel Sharon visiting the Temple Mount. Both Intifadas were violent but it is generally considered the first began as a civil demonstration.

Israeli Defences Forces (IDF) – Israeli military.

Judea and Samaria – Hebrew terms for the West Bank. Roughly, Samaria is north of Jerusalem and Judea South.

Knesset – The Israeli Parliament building.

Mahmoud Abbas – President of Palestinian Authority since 2005, and chairman of the Palestine Liberation Organisation since 2004. Leader of the Fatah party.

One-State Solution – A proposed resolution advocating the unification of Israel and the Palestinian Territories under a single government.

Operation Cast Lead – Code name for Israel's three week military offensive against Hamas in the Gaza Strip between December 2008 and January 2009.

Operation Protective Edge – Israel's 2014 military operation in the Gaza Strip against Hamas, Also known as 51 Day War.

Oslo Accords – A set of agreements between Israel and the Palestine Liberation Organisation mediated by the Norwegian government in the early to mid-eighties. Negotiations took place in Oslo with the actual signings taking place elsewhere. Oslo I was signed in Washington D.C. in 1993, and Oslo II in Taba, Egypt in 1995. The agreements remain the blue print to resolving the conflict.

Palestinian Authority (PA) – Sometimes referred to as the Palestine National Authority (PNA), the PA is the interim self-governing body formed in 1994 pursuant of the Oslo I Accords between the Palestine Liberation Organisation and the government of Israel.

Palestine Liberation Organisation (PLO) – Founded in 1964 to liberate Palestine through armed struggle. Recognised as the legitimate representative of the Palestinian people by over 100 countries.

Saeb Erekat – Member of Fatah and Chief Palestinian negotiator during the Oslo Accords.

Separation Barrier – Israeli constructed wall separating the state of Israel from the occupied West Bank. Initial construction began in 2003 and is set to total 700km in length upon completion. Built to stem the flow of suicide bombing during the second *Intifada*, Israel refers to national security to justify the wall's construction. Opponents claim the wall is an attempt

to annex large swathes of Palestinian land. A similar separation wall also exists along the territory comprising the Gaza Strip.

Settlements – Civilian communities constructed by Israel throughout the West Bank and East Jerusalem to settle Jewish Israelis. According to international law all settlements within the territories are illegal. In 2005 the settlements in Gaza were evacuated and destroyed.

Two-State Solution – The popular and most politically discussed resolution proposing the formation of two states: Israel and Palestine. The former is based on the 1967 borders before the occupation with West Jerusalem as its capital, and the latter constitutes the West Bank, Gaza Strip with East Jerusalem as its capital.

West Bank – The occupied Palestinian territory west of Jerusalem running along the Jordan River.

West Jerusalem – Predominantly Jewish half of the city. Refers to the section of the city which remained under Israeli control after the 1948 Arab-Israeli war.

Zionism – A political and nationalist ideology, founded in the late 19th century by Theodor Herzl, advocating the re-establishment of a Jewish homeland.

Illustrations

- Ir Amim., *Greater Jerusalem*, <http://www.ir-amim.org.il/en/maps/greater-jerusalem-2015>, 2015, pp. 47
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Introduction

“One state two state all that stuff, this is a conflict about boundaries, identity, existence, and all those things. It always has been, whether you want to start back 150 years ago, 1947, 1948, wherever you want to start. The conflict stays the same. I don’t see anything on the horizon that is going to change that.”¹

Gerald Steinberg’s pessimistic prediction regarding the current state of affairs of the much protracted and divisive Israel-Palestine conflict is indicative of the current impasse stifling the possibility of a future resolution. On the international stage, the two-state solution is the universally accepted package for resolving the conflict, with the Gaza Strip and West Bank set aside to form an independent and viable Palestinian state with East Jerusalem as its capital. However, questions of contiguity, persistent settlement building, and political divisions amongst the Palestinians themselves have persistently undermined the prospect of implementing the two-state solution since it was formally agreed upon nearly 25 years ago at Oslo. Nevertheless, the alternative seems even more implausible. If the two peoples cannot satisfy their own ambitions for self-determination via separation, then surely binding the two together in a single state is beyond the realms of possibility. A single state from the Jordan River to the Mediterranean Sea appears premised on the absurd idea “that two nations that could not negotiate a divorce should get married instead.”²

It is the restrictive limitations of these rigid forms of thinking that have perpetuated the increasing disillusionment with the peace process between Palestinians and Israelis at the political, civil and grass roots levels. Chief Palestinian negotiator, Saeb Erekat, solemnly admits the current relationship between the PA and the Knesset is “below zero...There is no trust now, no trust whatsoever.”³ Similar rhetoric is found emanating from the Israel camp. Minister of Education Naftali Bennet was quoted in Hebrew newspapers blaming the lack of progress in the peace process on the absence of a reliable Palestinian partner.⁴ Current Prime Minister Benjamin Netanyahu echoed these sentiments as he charged Palestinian leader Mahmoud Abbas of refusing to sit at the negotiating table, and accused the Palestinians of

¹ Steinberg, G., Interview 10/8/15

² Freedman, J., *Yearning for the Same Land*, <http://www.newstatesman.com/2012/07/yearning-same-land>, 18th July, 2012

³ Erekat, S., Interview, 1/7/15

⁴ MiddleEastMonitor., *Bennet: There is no Palestinian Partner for Peace*, <https://www.middleeastmonitor.com/news/middle-east/10084-bennett-there-is-no-palestinian-partner-for-peace>, 4th March, 2014

consistently refusing to end the conflict in his most recent UN General Assembly address.⁵ This is despite former Israeli Prime Minister Ehud Olmert contradicting these views in stating he found the president of the Palestinian Authority (PA) “to be a genuine, serious and trustworthy partner for peace negotiations.”⁶

At the civic level, a host of NGOs operate within Israel, the West Bank, the Gaza Strip and the diaspora with the aim of achieving a multitude of important goals, from human rights (AL Haq), to educating Israelis about the occupation (Gush Shalom), to finding a resolution along the two-state solution framework (PIJ). Simultaneously, Steinberg’s own NGO Monitor tracks and meticulously scrutinizes the funding and activities of these very NGOs in order to undermine their work and raise awareness amongst the political right in Israel of their liberalist agendas, which are often perceived as threatening the Jewish state.

One level down and it is almost universally accepted amongst scholars and activists that at the grassroots level Israeli society lacks the will to initiate change to the current status quo. Adam Keller, lead spokesperson for the NGO Gush Shalom explains this is because “Israelis, in general, think peace was something that was already tried and failed.”⁷ On the Palestinian side, any remnants of optimism with the peace process become increasingly diminished each time negotiations fail and people have to deal with the consequences of yet another costly military offensive by Israel. Nearly fifty years of occupation, and over twenty years of broken agreements and failed peace talks have rendered the Palestinians a defeated people. “Their spirits have been broken...All the hopes that they harboured for decades, all the sacrifices they made...came to dust.”⁸ It is not difficult to locate these embittered feelings of disillusionment when speaking to Palestinians on the ground. Haitham Khatib for instance, a self-employed photojournalist and author, dejectedly admits fellow Palestinians are moving across the border to live in Jordan because of the occupation.⁹ The underlining feeling is that Israelis have succeeded in forcing Palestinians to relinquish their claim to the land. The sense of mistrust in the significant other, alongside a growing understanding of the conflict in *realpolitik* terms

⁵ Netanyahu, B., as quoted in Jerusalem Post., *Full Text of PM Netanyahu’s Address to the UN General Assembly*, <http://www.jpost.com/Israel-News/Politics-And-Diplomacy/Full-text-of-PM-Netanyahus-address-to-the-UN-General-Assembly-419717>, 1/10/2015

⁶ Olmert, E., as quoted in Al Jazeera English., *Upfront- Headliner: An Exclusive Interview with Ehud Olmert*, <https://www.youtube.com/watch?v=mx-Tc2Sh7c4>, 3rd October, 2015

⁷ Keller, A., Interview, Skype, 2/9/15

⁸ Finkelstein, N., Interview, Skype, 25/11/2015

⁹ Khatib, H., Interview, Skype, 10/12/2015

have left a growing number of Palestinians conscious of whether they actually will, one day, live in a liberated Palestinian state.

It is within this climate of beleagueredness and mutual mistrust that Steinberg's cynical assessment that there are no possible solutions to conflict unfortunately appear insightful. Postulating a solution to the conflict is beyond any contemporary resolution paradigms, Steinberg instead proposes conflict management: a theoretical framework based on efforts to "focus on informal and indirect processes, and a structure of coordinated gradual unilateral relations."¹⁰ In concrete terms, this would entail reworking the current agreements regarding the West Bank and transferring large amounts of Israeli controlled areas to Palestinian control. However, he qualifies this in stating these transfers must occur alongside certain limitations so that Israel maintains its security controls in the Jordan Valley.¹¹ Israel's conflict management approach is indicative of its strategic conservatism and its tendency to take precautions in not rushing to solve the conflict before conditions are ripe.¹²

"What lies behind the absence of a constructive Israeli national security agenda...is neither illogical nor confusion but rather a belief that there are no solutions to the challenges the country faces and that seeking quick fixes to intractable problems is dangerously naïve."¹³

Senior cabinet minister Naftali Bennet describes this strategy as coming to terms with the unpleasantness of the situation rather than risking catastrophe by trying to resolve the conflict.¹⁴ Critics commend this tactic with regards to Israel's other adversaries such as Iran, but question its solicitation¹⁵ apropos the Palestinians since it brings the country and its regime into disrepute. More importantly, from the Palestinian perspective, it further prolongs the wait for the political solution they desperately crave.¹⁶

Each side's polarizing approaches only widen the chasm between them and deepen the current impasse, which is a result of how they respectively engage with each other within the confines of the conflict and react to its fluctuating dynamics. Israeli politicians and Israeli society at large appear more than content with only preserving their own security, and for this they do

¹⁰ Steinberg, G., *Unripeness and Conflict Management: Re-Examining the Oslo Process and its Lessons*, <https://faculty.biu.ac.il/~steing/conflict/Papers/re-examiningoslo.pdf>, 2002, pp. 1

¹¹ Steinberg, G., Interview, Jerusalem G, Steinberg., 10/8/15

¹² Sachs, N., *Why Israel Waits: Anti-Solutionism as a Strategy*, Brookings Institute, <http://www.brookings.edu/experts/sachsn>, Oct 20th, 2015

¹³ Ibid

¹⁴ Ibid

¹⁵ Ibid

¹⁶ Khatib, H., Interview, Skype, 10/12/2015

not require any immediate resolution. The security wall which divides Jerusalem, and which was constructed in reaction to the spate of suicide bombings during the Second *Intifada* has succeeded in reducing the number of Israeli fatalities resulting from terrorism. In curtailing the threat of terrorism, managing the conflict serves Israel's security needs, making it less inclined to finding a full-fledged resolution. Palestinians on the other hand are tired. They urgently wish to seek a solution but are wary of Israel's preconditions in recognising Israel as the Jewish state. Within the ranks of the PA, there is little reason to manage the conflict since the agreements for a Palestinian state have already been agreed: "We don't need to take it to the Knesset or the parliament or to our respective governments. It's already been signed, it's already been ratified."¹⁷ The PA's calls for a state consisting of the Gaza Strip, West Bank and East Jerusalem are a reflection of the Palestinian strategy to seek an actual resolution to the conflict, whilst Israel's proclivity to bide its time is representative of its desire to manage it.

To overcome this impasse, Palestinians at the grassroots level are increasingly beginning to adopt a human rights-based discourse in their approach to the conflict. In an ironic sense of agreement with Steinberg's cynical view, Palestinians "are not thinking about one-state, two-states, five-states or a federation...they are thinking about freedom."¹⁸ In a televised round table discussion broadcasted by Al Jazeera, political activist and journalist Linah Alsaafin described how she was unconcerned with how many states eventually come out of the conflict, but was more interested in "achieving human rights."¹⁹ Similarly, Natalie Tibi, the daughter of Arab-Israeli parliamentarian Ahmad Tibi, was quoted saying she "did not care what the future state would be called, only that her grandmothers be allowed to return to their homes in Jaffa."²⁰ These sentiments are especially prevalent amongst Palestinian youth who have been subjugated to the consequences of failed negotiations. The reasoning behind this is twofold. Firstly, it stems from a realisation of the current situation; the fact the political channel currently seems dead in its tracks, especially given the well-publicized and tenuous relationship between Netanyahu and PA President Mahmoud Abbas. A recent poll by the Palestinian Centre for Policy and Survey Research (PCPSR) found that out of a total of 1270 adult interviewees, 74% believed the chances of establishing a Palestinian state in the next 5 years were slim to non-

¹⁷ Erekat, S., Interview, 1/7/15, Jericho

¹⁸ Qumsiyeh, M., Interview, Bethlehem, 27/7/15

¹⁹ Alsaafin, L., as quoted in Al Jazeera English, The Café – One State, Two States or even Three States?, <https://www.youtube.com/watch?v=oqkmlmwhFVg>, 18th August 2012

²⁰ Rudoren J., *A Divide Among Palestinians on a Two-State Solution*, <http://www.nytimes.com/2014/03/19/world/middleeast/a-divide-among-palestinians-on-a-two-state-solution.html>, 18th March, 2014

existent. Moreover, the same poll found 82% consider Israel's true intentions are to annex the land occupied in 1967 and deny Arabs their basic human rights.²¹ Disillusioned with the peace process, the majority of Palestinian youths are more concerned with their own economic status.²² Only 4% of Palestinians consider UN recognition of a Palestinian state as the top priority for PA leader Mahmoud Abbas, in comparison to over 80% who see the creation of new jobs as a more pressing issue.²³ Secondly, conceptualising the conflict in human rights terms provides a universalised legal framework in which to further their agenda. Such a discourse circumvents all political and social obstacles and directly addresses key issues for most Palestinians who "have lost their faith in the Israelis, have lost their faith in the Americans and have lost so much faith in their own leadership."²⁴ Even Mahmoud Abbas' son Tareq has publically endorsed this view, stating in an interview with the New York Times that if the Israelis "don't want to give me independence, at least give me civil rights."²⁵

Notable political figures in Israel have warned of the consequences for the country if this approach is adopted completely and manages to unite a fragmented Palestinian society. Former Prime Minister Ehud Olmert warned back in 2007 that Israel risked being compared to Apartheid South Africa if it failed to implement the two-state solution. Olmert further suggested the possible adoption of an equal rights struggle would compromise the country's Jewish majority beyond repair and eradicate the state as it is presently conceived.²⁶ South Africa's last Apartheid president Frederik Willem de Klerk recently reiterated this warning, stating the possible collapse of a two-state solution would result in Israel being an Apartheid state.²⁷ Some even go beyond this foreshadowing. Former U.S. President Jimmy Carter not

²¹ PCPSR., *Press Release*, <http://www.pcpsr.org/en/node/634>, 21st March 2016

²² Segal, A., as quoted in *Roundtable Discussion – The Younger Generation*, Palestine-Israel Journal of Politics, Economics and Culture (PIJ), Vol. 18, N. 4, 2013, pp. 86

²³ Mizrahi, J., & Greenberg, S., *The Israel Project: Arab Spring and Frozen Peace: Palestinian Opinion*, <http://www.gqrr.com/articles/2011/07/27/new-survey-of-west-bank-and-gaza-shows-strong-palestinian-support-for-negotiations-with-israel?rq=israel%20project>, July 2011

²⁴ Abu Zayyad, Z., *Roundtable Discussion – Obstacles to Successful Israeli-Palestinian Negotiations: How to Overcome Them*, Palestine-Israel Journal of Politics, Economics and Culture (PIJ), Vol. 19, No. 3, 2014, pp. 110

²⁵ Abbas, T., in Rudoren, J., *A Divide Amongst Palestinians on a Two State Solution*, <http://www.nytimes.com/2014/03/19/world/middleeast/a-divide-among-palestinians-on-a-two-state-solution.html>, March 18, 2014

²⁶ Olmert, E., in McCarthy, R., *Israel Risks Apartheid-Like Struggle if Two-State Solution Fails, Says Olmert*, <http://www.theguardian.com/world/2007/nov/30/israel>, 30th November, 2007

²⁷ Barnea, N., *De Klerk: Without the Two-State Solution, Israel Could Turn into an Apartheid State*, <http://www.ynetnews.com/articles/0,7340,L-4731790,00.html>, November 27th, 2015

only publically condemns Israel as an Apartheid state, but argues its practice of segregation and discrimination are far worse than that of the South African regime.²⁸

The increasing adoption of human and civil rights rhetoric amongst grassroots movements on the Palestinian side should be viewed as a form of conflict transformation; an alternative theoretical framework from the aforementioned conflict management and conflict resolution paradigms. Conflict transformation provides a framework in which the multileveled aspects of a prolonged, violent conflict, such as Israel-Palestine, can be readdressed at different stages in order to transform the dynamics of the conflict from one of increasing violence to an environment more conducive to a sustainable peace. Methodologically, it offers concrete steps to provide effective relief from an ever worsening situation, and reverse the much discussed fear of the conflict transforming from one centred on land and identity to one engaged in religious warfare.²⁹

A key theorist in the school of conflict transformation, Lederach outlines four central modes which dictate the nature of adversarial relationships throughout a conflict: personal, relational, structural, and cultural.³⁰ At the same time, in her article *Rethinking Conflict Transformation from a Human Rights Perspective* Parlevliet argues, “Considering human rights and conflict transformation in conjunction deepens one’s analysis of what is involved in moving from violence to sustainable peace.”³¹ Contending human rights provide a vehicle in which to holistically transform the structural conditions sustaining conflicts, Parlevliet similarly outlines four dimensions to human rights: rules, structures, relationships, and process. These dimensions encompass not only their legal application and but also their value in establishing a compassionate and empathetic society. Both theoretical edifices form a dual set of parallel analytical pillars in which to analyse a variety of normative issues endemic to the Israel-Palestine conflict. By considering a host of normative issues from the perspective of Lederach’s modes alongside Parlevliet’s emphasis on the synergetic relationship between conflict transformation and human rights, the significance of these separate tangents to the Israel-Palestine context and relation to the civil and human rights discourse is deconstructed. The

²⁸ See Carter, J., *Palestine: Peace not Apartheid*, Simon & Schuster, New York, 2006

²⁹ Khoury, J., *Israel Turning Conflict into a Religious One, Warns Abbas, with Disastrous Consequences*, <http://www.haaretz.com/israel-news/1.682822>, October 28th, 2015

³⁰ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

³¹ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 2

purpose of the Lederach spine is to set up the normative issues and how the different modes relate to the Israeli-Palestinian case, whilst the Parlevliet spine focuses predominantly on the phenomenon of an emerging human rights discourse in this particular context.

Before continuing, it must be noted at the outset that this thesis by no means attempts to claim to solve the conflict in any way. Such an assertion would completely undermine the historical complexity of the conflict and its ever fluctuating political and social subtleties. It avoids any suggestion as to a final solution to the conflict and the possible formation of any single, bi or two states. What this thesis does achieve is to elucidate not only the growing employment of a human rights-based discourse in the Palestinian struggle but also highlight, using the theoretical edifices provided by Lederach and Parlevliet, how these analyses expose avenues for alternative discourses to emerge; and why this change in tactic at the grassroots level reintroduces and reopens informative and constructive discussions pertaining to a range of personal, structural and cultural issues, which are otherwise overlooked by the traditional conflict resolution and conflict management frameworks. It recognizes that “while it is necessary to address visible violence by reducing or stopping it, it is equally critical to acknowledge and address the context and attitudes as root causes of the conflict.”³²

Lederach’s modes provide the primary analytical framework to draw a number of individual issues together. The individual issues analysed are categorised under each of the separate modes according to their specific characteristics. Towards the end of each chapter Parlevliet’s call to acknowledge this phenomenon alongside a human rights perspective is considered to reveal how such a discourse not only compliments this investigation, but provides a theoretical avenue for deconstructing the elements of power deepening the sense of division and hostility between the two peoples. In essence, the objective is to produce a holistic analysis of the separate issues prolonging the conflict by sub-dividing them according to Lederach’s modes. It shows how the normative issues analysed under each mode form a cycle which continuously perpetuate the current status quo, ultimately reinforcing the structural conditions and agitating the already non-existent personal relationships between Jewish Israelis and Palestinians further.

³² Darwesih, M., *Human Rights and the Imbalance of Power: The Palestinian-Israeli Conflict*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_darweish_comm.pdf, 2010, pp. 86

The following thesis is divided into five chapters. The first provides an overview of conflict transformation as a theory, and touches upon its significance to the Israeli-Palestinian conflict. The remaining four chapters each deal with the separate modes outlined by Lederach. Each chapter provides an in-depth analysis of the mode in question and is further sub-divided to incorporate the normative issues affecting the conflict which pertain to that particular mode. In the second chapter, the personal mode is linked to the more apparent and corporeal aspects of the conflict which directly interfere with people's daily lives on an individual basis. This analysis simultaneously touches upon some of the structural attributes responsible for personally impacting the lives of Palestinians. More importantly, briefly highlighting aspects of the structural elements restricting people personally, assimilates with Parlevliet's human rights as *rules* dimension. Lederach's relational mode forms the basis of chapter three and is easily linked with Parlevliet's third dimension of the same name. Here, the more systemic consequences of the laws detailed in chapter two are shown to have a detrimental aftereffect for both societies in terms of their interrelation with one another, as this breakdown spills over into economic and environmental domains. Allport's contact theory is drawn upon at this stage to provide an additional theoretical perspective on the breakdown of Jewish-Arab relations, and how this is counterproductive to the nurturing of a possible solution. Chapter three analyses how separation and discrimination are embedded within the judicial and military institutions of Israel, highlighting the structural features of the conflict in conjunction with Lederach's third mode and Parlevliet's second dimension. In chapter five, the structural relations of power are revealed to reinforce the cultural divides between the two societies. This chapter discusses how the widening of cultural divides have led to the increase in extreme and dehumanizing rhetoric within the Israeli Knesset. Linking this phenomenon with Lederach's final mode and Parlevliet's final dimension, this chapter draws upon political discourse analysis to demonstrate how the characterization of Palestinians as terrorists is disseminated throughout mainstream Israeli culture and media to legitimise the current structural architecture. The objective, essentially, is to demonstrate the interconnectivity between the normative issues sustaining the conflict and how they relate to the symbiotic processes inherent within Lederach's modes and Parlevliet's dimensions. It stresses the significance of Parlevliet's application of conflict transformation in linking it to the rationale underpinning the current switch in Palestinian objectives from attaining a nation state to achieving human rights. Finally, the conclusion utilizes Lederach's modes to illustrate how the current trajectory of the conflict is constantly winding itself into smaller and denser theoretical and political spaces to introduce alternative

approaches to resolving the conflict. Lederach's modes, in this sense, are shown to form a cycle in the process of becoming tenser and more radical.

Chapter 1: Theory, Data Gathering and Methodology

1.1 Conflict Transformation

Before examining the Israel-Palestine conflict and situating the current state of affairs within Lederach and Parlevliet's analyses, it is compulsory to elaborate on the actual theory of conflict transformation and its value to this study. At its core, conflict transformation attempts to convert the ontological foundations of conflicts through epistemological means. It recognises the necessity of approaching the conflict from both the micro and macro levels by acknowledging the "very structure of parties and relationships may be embedded in a pattern of conflictual relationships that extend beyond the particular site of conflict."³³

This attribute of conflict transformation to look beyond the perceptual features of the conflict and uncover the societal dynamics, which feed into and sustain it, is indispensable to the following investigation, since it illuminates the indirect socio-political processes that normally go unaddressed. Thus, it is a "process of engaging with and transforming the relationships, interests, discourses and...the very constitution of society that supports the continuation of violent conflict."³⁴ Moreover, the theory's emphasis on drawing upon a multitude of concepts and approaches to transform the contours and narrative of conflicts proved a crucial asset in the following chapters since a range of frameworks, theories and methodologies were utilised as part of the endeavour to explicate the structural and cultural elements underpinning the groundswell of human rights discourse. During the course of the thesis, contact theory will be drawn upon to elucidate the breakdown in intergroup relations. In addition, Galtung's conceptualisations of structural and cultural violence are employed in relation to the institutionalization of violence within the Israeli judicial and political systems. To highlight the cultural roots of Israeli attitudes towards Arabs, a political discourse analysis is deployed to reveal the interconnectivity between inequality, prejudice and the status quo. As a collective, this range of concepts and methodologies is synthesised into a single cohesive argument in which to elucidate the formation of societal contradictions, and how they "become manifest in attitudes and behaviour."³⁵ Supplementing this endeavour, a wealth quantitative and qualitative data is referenced in the form of opinion polls, statistical analysis and interviews with a variety

³³ Miall, H., *Conflict Transformation: A Multi-Dimensional Task*,
http://edoc.vifapol.de/opus/volltexte/2013/4682/pdf/miall_handbook.pdf, 2004, pp. 4

³⁴ Ibid

³⁵ Ibid

of authorities from within the confines of the conflict, including NGO leaders, academics, political representatives and average citizens.

As mentioned above in the introduction, conflict transformation stands in stark contrast to the traditional frameworks of conflict resolution and conflict management. The former is primarily concerned with ending something undesirable: in this case the occupation itself. Whereas, the latter focuses on limiting and maximising the negative and positive attributes of relations. The problem for Lederach is that both frameworks ultimately consider conflicts as inherently negative phenomena, and fail to appreciate their natural occurrence and benefit for human and societal progression. Conflict resolution is clothed in language which assumes conflicts are short term processes able to be dissolved of quickly. A major consequence of this line of reasoning is that conflict resolution has often been guilty of “seeking to stop the conflict and create harmony at the expense of justice.”³⁶ In the context of Israel-Palestine, the Oslo Accords testify to this notion, since the agreed format for a solution to the conflict has “failed to bring justice to Palestinians or peace and security to Israelis.”³⁷ Social conflicts such as Israel-Palestine, by their very nature, are unjust. The expectation that its violent expressions would dissipate naturally without the root causes of the conflict being unearthed were not only futile, but morbidly naïve. In hindsight, it appears absurd to think the Oslo Accords could ever achieve a positive peace by forestalling the agreement on issues like Jerusalem, refugees, settlements and borders to a later date; the very components of the conflict most central to the Palestinian narrative and sense of aggrievement.³⁸

Lederach, on the other hand, considers conflict management more pragmatic in acknowledging the long-term aspects of conflicts. Fundamentally, the theory proposes amplifying favourable and restricting detrimental facets of conflicts. Israel’s separation barrier is justifiable under this reckoning for it practically eradicated the most pressing negative feature of the conflict by significantly reducing the number of suicide bombings by 90%.³⁹ Conversely, Netanyahu’s calls to cultivate peace through economics is a political attempt to foster better social relations

³⁶ Lederach, J., *Preparing for Peace: Conflict Transformation Across Cultures*, Syracuse University Press, New York, 1995, pp. 16

³⁷ LeVine, M., & Mossberg, M., *Thinking Outside the Oslo Box*, <http://america.aljazeera.com/opinions/2014/12/oslo-accord-israelpalestinepeaceprocessoccupation.html>, December 6th, 2014

³⁸ Israel and the PLO., *Declaration of Principles on Interim Self-Government Arrangements*, in Laqueur, W., & Rubin, B (eds)., *The Israel-Arab Reader*, Penguin, London, 1993, pp. 414

³⁹ IDF., *The Separation Barrier*, <http://www.law.idf.il/351-en/Patzar.aspx>, accessed (21/03/16)

through Israel and Palestine's already established trade relations.⁴⁰ The concept of managing is premised on the idea conflicts are not completely eradicated as result of resolution, and emphasis must be place on manipulating their destructive and advantageous components.⁴¹ Lederach points out, however, that the language of management cloaks a presumption that conflicts are somehow malleable; as if they were controllable and something to be contained. This reasoning fails to "capture the broader sense of peacemaking, as it narrows its focus to the technical and practical side of the effort."⁴² Managing the critical nexus between human action and interaction is incomparable to the management of resources in the physical world.⁴³ In terms of Israel-Palestine, managing the conflict only serves the interests of the dominant party and fails to address the core injustices aggravating the Palestinian resistance, with economic growth alone providing no guarantee a modern state will emerge.⁴⁴ Amany Khalifa, an organiser for the NGO Grassroots Jerusalem, recently affirmed this view in a media interview where she explained recent protests as a reaction to "oppression, occupation, lack of Palestinian leadership and a myth from the international community called 'development and economic growth.'"⁴⁵

Alternatively, conflict transformation is more adept at operating within the confines of the competing narratives and historical complexity indicative of the Israeli-Palestinian conflict. It is far broader, and more dynamic than its resolution and management counterparts, which are too narrow in their mandate. This is especially important in conflicts like Israel-Palestine "where parties share an extensive past and have the potential for significant future relationships, and where the episodes arise in an organisational, community or broader social context."⁴⁶ Most importantly, conflict transformation's significance lay in its applicability to contexts where repetitive rounds of episodic violence have normalised. Refocusing the societal

⁴⁰ Ahren, R., *Netanyahu: Economics, Not Politics, is the Key to Peace*, <http://www.haaretz.com/netanyahu-economics-not-politics-is-the-key-to-peace-1.257617>, November 20th, 2008

⁴¹ Lederach, J., *Preparing for Peace: Conflict Transformation Across Cultures*, Syracuse University Press, New York, 1995, pp. 17

⁴² Ibid

⁴³ Ibid

⁴⁴ Fukuyama, F., *Political Order and Political Decay*, Farrar, Straus and Giroux, New York, 2014, pp. 540

⁴⁵ Khalifa, A., in Palumbo-Liu, D., *"They Think They Have Nothing More to Lose": Young Palestinians on the Frustration and Oppression Fuelling the Current Wave of Protests in Israel*, http://www.salon.com/2015/11/06/they_think_that_they_have_nothing_more_to_lose_young_palestinians_on_the_frustration_and_oppression_fueling_the_current_wave_of_protests_in_israel/, November 6th, 2015

⁴⁶ Lederach, J., *"Conflict Transformation." Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: October 2003

horizons of each side toward fostering healthier associations, transformation attempts to overhaul engrained socio-psychological barriers.⁴⁷

Parlevliet's article calling for human rights to be considered in conjunction with conflict transformation should be seen as an extension of Lederach's approach. Her analysis parallels Lederach's work in many respects and is central to the following thesis since she concurs that conflict transformation looks beyond the surface inequalities, and attempts to transform the very "systems, structures and relationships which give rise to violence and injustice."⁴⁸ The central tenet of her argument integrates seamlessly with Lederach's conceptualisation of conflict transformation, since the latter's approach also accentuates the synthetic amalgamation of justice and peace, alongside "the building of right relationships and social structures through a radical respect for human rights."⁴⁹ Parlevliet shares Lederach's doubts regarding conflict resolution and conflict management, maintaining neither framework is as explicitly grounded in social justice as conflict transformation. In relation to Israel-Palestine, Parlevliet's value is twofold. Firstly, she emphasizes the theory's ability to effectively address the "power imbalances and unjust relationships" characteristic of asymmetric conflicts. Secondly, her analysis contends that conflict transformation offers a more fruitful opportunity for considering human rights.⁵⁰ This second element is specifically important with regards to the phenomenon of an increasing tendency to employ a human rights-based discourse within the Palestinian camp.

It is with Lederach and Parlevliet's adequately aligned that it is necessary to place their respective edifices alongside each other to illuminate the connections between the two in their descriptive and prescriptive analyses. Below is a diagram outlining how each edifice is paralleled with its respective counterpart in the remaining chapters.

⁴⁷ Ibid

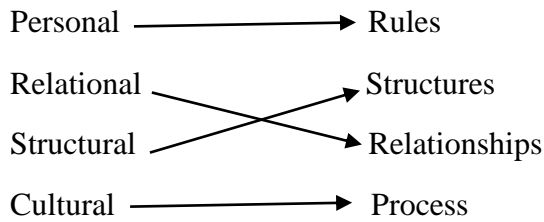
⁴⁸ Respond.org, as quoted in Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 3

⁴⁹ Lederach, J., "Conflict Transformation." In Burgess, G., and Burgess, H (eds)., *Beyond Intractability*. Conflict Information Consortium, University of Colorado, Boulder. Posted: October 2003

⁵⁰ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 3

Lederach Modes

Parlevliet Dimensions



Referring to the above diagram, it is noticeable that although both edifices exhibit strong and significant symbiotic parallels, they are listed in separate orders. Nonetheless, these minor differences aside, both scholars offer important conceptual edifices to categorise the numerous normative issues affecting people at different levels within the context of the conflict. The parallels between these two edifices are drawn firstly to situate the normative issues within Lederach's analysis, and secondly to demonstrate how they pertain specifically to the issue of human rights in Parlevliet's article.

An overall description of Lederach's four modes and Parlevliet's dimensions as totalities must, therefore, be provided to explicate to what effect and to what extent they fit within the theory of conflict transformation as a comprehensive framework. For both Lederach and Parlevliet, conflict transformation considers peace "as centred and rooted in the quality of relationships."⁵¹ This definition extends beyond everyday face to face interactions and encompasses all facets of social, political, economic and cultural relationships.⁵² The central component of this theoretical approach is to look further afield than the obvious, physical aspects of the conflict and uncover the underlining processes shaping the relationship between the disputing factions. Lederach's view is that these processes shaping the relationship "represent a web of connections that form the broader context of the conflict."⁵³ It is the context of the relationship whereby "particular issues arise and either become volatile or get quickly resolved."⁵⁴ Similarly, Parlevliet points out the multidimensional attributes of human rights offer an invaluable tool box in which to dissect the "inequality, inequity, injustice and insecurity...underpinning violent conflicts."⁵⁵ Concerning Israel-Palestine, the impasse

⁵¹ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 8

dividing both societies explains the Palestinian grassroots initiative to generate a groundswell of civil and human rights discourse. This approach sets the nationalistic objectives aside and proposes fostering more harmonious and egalitarian attitudes in the hope of supplementing positive Jewish-Arab inter-relationships.

1.2 Interview Process

An influential component of the following thesis is the data collected from the interview process. Throughout the study, the contribution of those interviewed is referenced constantly. Thus, it is important to justify its relevance to the thesis, as well as give some indication of how this process transpired and the data accrued.

The material collected during the interviews immensely contributed to the central argument anchoring the thesis. It was whilst discussing a range of social, political and legal issues pertaining to the conflict with interviewees that the investigation's theoretical starting point concerning the human rights discourse was located. Haaretz journalist Khaled Diab, biologist Mazim Qumsiyeh, UN observer Hamed Qawasmeh, NGO leaders Roie Revitsky and Adam Keller, author Ilan Pappé, political activist Jamal Juma, and political scientist Ahmed Hamad all attested to the developing human rights discourse amongst Palestinians on the ground. Those interviews conducted during the initial interview process such as Saeb Erekat did not gather anything pertaining to this phenomenon since the author was primarily concerned with the academic discourse surrounding the one-two state solution debate. Unfortunately, little scholarly discussion concerning the phenomenon of a human rights-based discourse in the Holy Land exists, which is why it was considered necessary to reveal its manifestation and analyse it alongside the philosophical underpinnings of human rights as a body of law, and the overall social and humanitarian context of the Israel–Palestine conflict.

The thesis further hinges on the views of those interviewed since despite the emerging portent of a human rights discourse being palpable on the ground, it is by no means an organised movement. This explains why it is difficult to give any indication of when this new discourse began to materialise, for it is yet to be encapsulated into a single ideological unit. There is no civil movement occurring in the form of an active group collectively protesting for Israel to abide by its human rights obligations. Rather, it is more a dispersed and disjointed discourse which is becoming more audible and nascent. As Jamal Juma states, “We want to have a civil rights movement.”⁵⁶ It is thus more of a hope amongst those who believe in its practicality than

⁵⁶ Juma, J., Interview, 24/8/15

a well-established concrete strategy. The views of interviewees who attested to this development were therefore used to analyse what human rights mean and entail in the Israel-Palestinian context, using the theoretical pillars of Lederach and Parlevliet. Given the limitations in terms of academic evidence to estimate the scale of this development, the views of those interviewed was used as an opportunity to introduce a significant social development on the ground into the academic discourse regarding the conflict.

In accordance with traditional ethnographic research, the vast majority of the data gathered during the interviews was accumulated from within the social context. Though some of the interviews were conducted over the internet using various communication interfaces (Skype, email), the majority of interviewees lived and worked in Israel and the Occupied Palestinian Territories. Interviews with participants from outside the immediate social context were all conducted via the internet: Noam Chomsky, Norman Finkelstein, Miko Peled and Virginia Tilley. All are prominent and respectable figures within the academic discourse surrounding the conflict. The common thread connecting these interviews with those within the immediate social context was the employment of the in-depth technique.

In-depth interviews are characteristically extensive in their duration and tend to involve a greater sense of personal expression on the part of the interviewer in order to build a sense of intimacy. The interviewer often seeks a deeper, more complex understanding of the subject matter and asks a range of open and closed questions to multiple tangents relating to the overarching topic of conversation.⁵⁷ Most of the interviews conducted for this thesis lasted well over an hour and in some cases consisted of multiple meetings. More importantly, the in-depth method offered a means to unearth weightier and more cogent information than is usually found in surveys. This is not to disparage the validity of the information offered by surveys, for this thesis also makes extensive use of a number polls throughout the course of the investigation. It is to say, by looking beyond the statistics and percentage figures, in-depth interviewing offered a valuable technique in which to contextualise a range of normative issues in more personal terms. In tandem with the data collected from various polls and surveys, the interviews were synergised to amalgamate both quantitative and qualitative research methods in formulating a singular portrayal of the current social reality in Israel-Palestine. Moreover, referring to the statistical analysis in surveys conducted by Palestinian, Israeli and international organisations

⁵⁷ Johnson, J., & Rowlands, T., *The Interpersonal Dynamics of In-Depth Interviewing*, in Gubrium, J., Holstein, J., Marvasti, A., & McKinney, K (eds.), *The Sage Handbook of Interview Research: The Complexity of the Craft*, Sage, London, 2012, pp. 99

was not only to convey the perspectives of all key stakeholders but to demonstrate how the data in all the polls paradoxically assimilated. Of course, statistical data collected through surveys has its own complications and can never be relied upon as pure empirical fact. But in this case, its value lay in its ability to explicate how the views of Jews in Israeli polls correlated with the concerns of Arabs in Palestinian surveys, and more importantly, with the testimonies of the interviewees.

Another crucial benefit of the in-depth method is that it offers the interviewer a chance to evaluate theories they have “formulated through naturalistic observation, to verify independently knowledge that they have gained through participation as members of a particular cultural setting.”⁵⁸ This particular dynamic of in-depth interviewing was instrumental to the conceptualisation of this thesis since originally the author had intended to focus primarily on the question of a one-state solution. A burgeoning enclave of academics pontificate the logistics of a single state between the Jordan River and Mediterranean Sea. Most of these analyses focus on the irreversibility of the settlement enterprise and the projected imbalance of Arab-Jewish demographics in the future to justify this radical proposition. The author originally intended to investigate the possibility of sharing the land under a single state at the outset of the data collection process. Nevertheless, it became apparent once talking to interviewees and interacting with people on the ground that the one-state-two-state dichotomy was a non-existent discussion for most people despite its growing relevancy in political and academic circles. This discovery was reflected in the pattern of questioning as the data was collected. With the initial interviews, along with the obligatory introductory questions, the majority of the questions centred on this dichotomy and the possibility of establishing a single democratic state between Israel and the occupied territories. In-depth interviewing enabled the author to review the relevancy of this debate in the context of grassroots movements in East Jerusalem and the West Bank. Once it was discovered the average Palestinian was disillusioned with the political process, it became clear the human rights discourse provided a fall back initiative to circumnavigate numerous political and ideological hurdles to finding a definitive resolution. Albeit some questioned the potency of the tactic, several of the interviewees, as shown above, testified to this growing phenomenon.⁵⁹ The in-depth method therefore provided a significant technique in which to evaluate the relevancy of the author’s own assessment of

⁵⁸ Ibid, pp. 100

⁵⁹ Rivitsky, R., Interview, 1/9/15

the conflict and compare this to the opinions of academics, politicians and activists on the ground.

Finally, the actual means by how the interviewees were selected was a result of the author's engrossment into the conflict's social context. Whilst conducting field research, the author simultaneously undertook an internship in a local academic publication: Palestine-Israel Journal. As part of his responsibilities, the author was expected to attend conferences, lectures and protests on behalf of the organisation as well as interview key figures while on assignment. This enabled the author to meet the vast majority of the individuals interviewed for the following thesis, who in most cases, had also previously written for the publication. For instance, the author met Jamal Juma and Haitham Khatib at political protests in the West Bank. Robin Twite was present at a conference on religious co-existence, and Gerald Steinberg held a public lecture regarding the Boycott Divestment and Sanctions movement in West Jerusalem. The author was instructed to attend all of these events for the purpose of reporting what happened for the publication's online blog. Furthermore, Khaled Diab's acquaintance occurred at the journal's offices in East Jerusalem. Diab was a participant in the roundtable discussions, which consisted of several civil society figures and journalists discussing the growing religiosity of the conflict. The author also participated in this discussion and was tasked with transcribing it for the journal's forthcoming issue. Some of the comments Diab made during the roundtable discussion concerned the author's own research, convincing the latter to request an interview at the end of the meeting. In some cases, such as Claire Anastas, the process was more organic and reactionary. While the author was browsing in their souvenir shop in Bethlehem, Anastas struck up a general conversation with the author. Conversely, with the likes of Noam Chomsky, Virginia Tilley, Norman Finkelstein and Miko Peled, the interviews were a result of investigative, formal researching. In this sense, they were contacted by the author directly. The decision to contact the aforementioned individuals was based on the author either reading their academic works or understanding their significance to contemporary debate surrounding the conflict. At the same time, it is important to note the unsuccessful interview attempts. Several current Jewish and Arab-Israeli Knesset members including Ze'ev Elkin, Avi Ditcher, Haim Katz, Tzipi Livni, Hanin Zoabi and Osama Sa'adi were contacted. The presumed counter opinion of all these prospective interviews could have added a greater sense of balance to the investigation given they reside on either sides of the political spectrum. Unfortunately, all either declined to speak or chose not to reply to the invite of an interview. Nevertheless, both interviewees and non-interviewees were selected on the basis of their shared engagement

with the conflict. Whether it be directly in terms of politics and civil society, or indirectly in terms of academic works written from outside the conflict arena.

1.3 Political Discourse Analysis

In the fourth chapter a brief critical discourse analysis is conducted in relation to an examination of Israeli culture. For this reason, it is necessary to explain what exactly the theory entails, how it is employed and why it is significant in relation to the overarching argument of this thesis.

Fundamentally, political or critical discourse analysis, as it is sometimes referred to, is both a theory and a method which analyses how language is employed in various social arenas. A clearer definition may separate political discourse analysis (PDA) as the focus on speech patterns of politicians, whilst critical discourse analysis (CDA) as predominantly concerned with more social discursive practices. However, both branches of the theory/method are often conflated by practitioners since “critical-political discourse analysis deals especially with the reproduction of political power, power abuse or domination through political discourse.”⁶⁰ By locating and highlighting these practices in various forms of political speech and text, PDA/CDA aims to uncover the primordial societal attitudes implicit in mainstream discourse. Principally, the method seeks to observe the communicative processes which contribute and sustain structures of social dominance, offering “a direct insight into discursive political practises.”⁶¹ In contrast to other forms of discourse analysis, PDA/CDA “is primarily interested and motivated by pressing social issues.”⁶² Its theoretical value Van Dijk argues, lay within its ability to look beyond direct speech acts, such as commands, in order to elucidate the source of social inequalities.⁶³

According to Van Dijk’s particular conception of PDA/CDA, the analyst employing the method is obligated to abide by a number of theoretical principles. Most importantly, they must take a particular socio-political stance, and their perspective should be of those who suffer most from inequality.⁶⁴ Moreover, analysts are expected to look beyond the “immediate, serious or pressing issues of the day.” In evaluating the production of texts, their structural understanding

⁶⁰ Van Dijk, T., *What is Political Discourse Analysis*, <http://discourses.org/OldArticles/What%20is%20Political%20Discourse%20Analysis.pdf>, accessed (23/4/2016), pp. 11

⁶¹ Ibid, pp. 41

⁶² Van Dijk, T., *Principles of Critical Discourse Analysis*, *Discourse & Society*, vol. 4 (2), 1993, pp. 252

⁶³ Ibid, pp.250

⁶⁴ Ibid, pp. 252

of the social climate in question “presupposes more general insights, and sometimes indirect and long term analyses of fundamental causes, conditions and consequences of such issues.”⁶⁵

The significance of Van Dijk’s stipulations in his nuanced conceptualisation of PDA/CDA are integral to the aims and underlining sentiment to the following thesis. First and foremost, the thesis abides by the principle of addressing pressing social issues in drawing attention to the current state of affairs in Israel-Palestine on the ground. Furthermore, it takes a specific socio-political stance in highlighting the implicit Arab prejudice in mainstream Israeli media outlets, and assumes this in respect to the burgeoning Palestinian call for human rights. It not only connects these findings with the two dominant edifices anchoring the entire investigation, but also evaluates them in the wider structural context defining the Israeli-Palestinian conflict. The critical target, in this sense, is the more dominant side to this asymmetric conflict, which enacts, sustains, legitimates, condones and even ignores social inequality and injustice.⁶⁶

Lastly, a crucial presupposition in conducting an effective critical discourse analysis is comprehending the nature of social power and dominance; for without this understanding, it is difficult to formulate ideas on how discourses contribute to its reproduction.⁶⁷ With social power defined by Van Dijk as the privileged access to socially valued capital, for instance wealth, position, status, force, group membership, education and knowledge, this classification is more than applicable in the Israeli-Palestinian context where Jews are often the benefactors of such resources. The method is thus particularly adroit to unearthing racist ideologies which may be expressed through mass media, since it observes the subtle formation of distinct in-out groups. In the analysis conducted in chapter five, this proves vital in ascertaining the assimilation of Arabs and terrorism beside the humanization of Jewish violence. Taken alongside disparaging characterizations of Arabs and the very notion of Palestine in Israeli schoolbooks, as well as the comments of some of Israel’s most prominent political and social figures, the wider implications of this in the scheme of the thesis is that it contributes to explaining how socially constructed narratives and formulations of different communal groups play an integral role in exacerbating social inequality from the macro to the micro levels.

⁶⁵ Ibid, pp. 253

⁶⁶ Ibid, pp. 252

⁶⁷ Ibid, pp. 254

Chapter 2: Personal Mode

Lederach's personal mode refers to attributes which bear directly upon the individual. Lederach elaborates this encompasses the perceptual, cognitive, emotional, and spiritual aspects of human experience over the course of the conflict.⁶⁸ From a conflict transformation perspective, the aim is to minimize the destructive effects of the conflict whilst maximizing the conduciveness for individual growth at the various levels listed above. The key qualifier in this mode is Lederach's insistence on recognising how conflicts affect people in their everyday existence. This qualification is especially important when considering the present situation in Israel-Palestine, since despite the ever present threat of terrorism, analysed in perspective, systemic structural inequalities at the roots of the conflict preserve "control and power in the hands of one ethnic group: the Jewish majority."⁶⁹ Palestinians are thus more directly affected at a personal level by the continuation of the impasse and the prolonging of the occupation.

The following chapter adopts Lederach's categories within his own conceptualisation of the personal mode, which consists of the perceptual, cognitive, emotional and spiritual aspects of the conflict. Beginning with the perceptual aspects, the chapter uses the very physical and direct use of house demolitions as a launching pad to discuss other normative issues which have a clear and detrimental effect on Palestinians cognitively, emotionally and spiritually. In the course of the chapter, some structural forms of violence are touched upon to highlight their direct impact on the average life of Palestinians. In this regard, ID permits, certain Israeli legislation, settler violence and Hebron are all touched upon alongside the destruction of Palestinian property. Parlevliet's human rights as rules dimension is then drawn upon to conclude the chapter.

2.1 Perceptual

The perceptual aspects of the conflict which affect people personally are those most discernible, and most likely to transpire into direct confrontations. Several features of the conflict pertain to this particular attribute with settler violence, uneven application of the law, as well as restrictions on freedom of movement, and religious practise all subsidising a cauldron of personal resentment and disenfranchisement which regularly transmutes into outright

⁶⁸ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

⁶⁹ Darwesih, M., *Human Rights and the Imbalance of Power: The Palestinian-Israeli Conflict*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_darweish_comm.pdf, 2010, pp. 85

violence. To date, arguably the most emotive and psychologically damaging aspect of the conflict on, a personal level, is the second class status of Palestinians and the practise of house demolitions this legalises.

Recognition and reconciliation for their mass displacement has always defined the Palestinian narrative since their ethnic cleansing in the conflict's defining wars of 1948 and 1967.⁷⁰ At the conflict's present juncture, Israeli demolition of Palestinian property in East Jerusalem and the West Bank completely undermine any opportunity for Palestinians to carve out any sense of normality in their everyday lives. The process of house demolitions in East Jerusalem stems from the aftermath of the 1967 war when Israel annexed 70²km of occupied Jerusalem as well as 64² km of the surrounding West Bank and rebranded it the Municipality of Jerusalem.⁷¹ For the 66,000 Palestinians living within the newly designated boundary, this resulted in a fundamental shift in their legal status. Former Arab citizens suddenly were classified as permanent residents.⁷² This distinction between citizen and permanent resident is key to understanding state sponsored forms of discrimination which constrict the average Palestinian, and define their personal experiences within the confines of the conflict.

Permanent residents are required to carry a blue Jerusalem ID card upon their person at all times which permits the holder to freedom of movement and working rights within the state of Israel. This differentiates them entirely from Palestinians residing in the West Bank and the Gaza Strip who require separate permits to enable them to enter the country.⁷³ Ostensibly, permanent residents of Israel are entitled to all the benefits of citizenship attributed to Israeli-Jews - health, social service benefits, voting rights - but without the personal security, it normally entails. The major difference between the forms of status lies with regulation 11a2 of the *Entry into Israel Law* which stipulates: "The Minister of Interior may at his discretion...cancel any permit of residence granted under this law."⁷⁴ The ambiguity of this law is exercised frequently to retract the residency of any person who may reside, for whatever

⁷⁰ See Pappe, I., *The Ethnic Cleaning of Palestine*, Oneworld, UK, 2006

⁷¹ OCHAOPT., *East Jerusalem: Key Humanitarian Concerns*,
https://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf, March 2011, pp. 13

⁷² Ibid

⁷³ Ibid

⁷⁴ As published by UNODC.org., *Israel: Law No. 5712-1952, Entry into Israel Law*,
https://www.unodc.org/res/cld/document/law-no--5712-1952--entry-into-israel-law_html/Entry_Into_Israel_1952.pdf, 1952

reason, outside of the Jerusalem Municipality for a period exceeding seven years.⁷⁵ Hypothetically, if a Palestinian from an Arab neighbourhood in East Jerusalem was to attend university abroad for a number of years, they run the risk of becoming ineligible to return to their former home upon completion of their studies. The same applies to any permanent resident holder who may attain full citizenship to any other country whilst residing abroad. For instance, if a resident holder attained a British passport whilst living and working in the UK, they face having their permanent residency revoked, as well as any entitlements to return rescinded.

This denial of the basic right to statesmanship and the second class citizenship attached to permanent residency is manifested by a lack of individual privileges entitled to citizens. Residency holders are prohibited from applying for Israeli passports⁷⁶ and are unable to pass on their residency rights hereditarily.⁷⁷ Children of resident holders have to apply separately for their own permit and are not issued one automatically on the basis of their parent's residency. Mixed residency unions are also considered under a different criterion than those of citizens. If a residency holder marries a Palestinian from either the Gaza Strip or the West Bank, they are not permitted to bring their spouse to live in Israel. They either have to move to where their spouse lives or leave Israel-Palestine altogether. Children of such couples are not guaranteed permanent residence as a consequence of a single parent having residency because this would contradict the purpose of the law itself, which is primarily to Judaize the remaining neighbourhoods of East Jerusalem. Approximately 14,000 East Jerusalemites had their residency rights revoked since 1967,⁷⁸ making it a "major tool for displacement."⁷⁹

Concerning the personal implications, the consequences of these policies are felt most strikingly and obviously with the demolishing of Palestinian homes to make way for Israeli settlements, particularly in East Jerusalem. As permanent residents, Palestinians are constantly discriminated against when applying for building permits. "Kafkaesque restrictions stifle those who wish to obtain a building permit, so much so that construction in accordance with the law

⁷⁵ OCHAOPT., *East Jerusalem: Key Humanitarian Concerns*, https://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf, March 2011, pp. 13

⁷⁶ Hirshman, B., Interview, 7/7/2015

⁷⁷ OCHAOPT., *East Jerusalem: Key Humanitarian Concerns*, https://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf, March 2011, pp. 13

⁷⁸ B'Tselem., *Revocation of Residency in East Jerusalem*, http://www.btselem.org/jerusalem/revocation_of_residency, 18th August 2013

⁷⁹ Hirshman, B., Interview, 7/7/2015

has become virtually impossible.”⁸⁰ 70.5² km of land make up the entirety of East Jerusalem. 35%, approximately 24.5²km, has been expropriated for settlements expansion. An additional 30% has no planning approvals to date, whilst the remaining 35% has planning schemes approved by the Jerusalem District Committee for Planning and Building.⁸¹ Only 9.2²km, approximately 13%, has been set aside for Palestinian construction, much of which is already built up and overpopulated. The other 15.5²km has been designated as ‘green’ or ‘open’ spaces in which no construction of any sorts, either residential or general, infrastructure is permitted.⁸² As a result, most Palestinian families have resorted to building illegally. In addition to the minuscule amount of land designated for possible construction, a number of expensive administrative fees force many Palestinians to build illegally. Overcoming numerous bureaucratic hurdles potentially takes several years and is normally beyond the average Palestinian family’s income; especially when there are no guarantees if all paperwork and payments are sufficed.⁸³ Palestinians in East Jerusalem are stranded in a catch twenty-two situation where the bureaucratic procedure for acquiring a permit is immensely difficult on one hand, but the need for shelter forces one to build illegally on the other. This trend of illegal construction is only set to continue amid reports a mere 7% of the building permits issued in the last few years have been allocated for Palestinian areas. Of the 3,238 permits issued in Jerusalem over the course of 2015 only 188 were allocated to Palestinian neighbourhoods.⁸⁴

When people resort to building without the necessary documentation, the Jerusalem Municipality deems these structures illegal and issue demolition orders in accordance with Israeli planning policy. Statistics from 1992-2010 show a total of 1250 structures were demolished in East Jerusalem.⁸⁵ More recent conservative figures estimate a further 204 housing units were demolished in the same areas between 2011-2015.⁸⁶ The overall effect of these demolitions is more striking when the number of people displaced is considered. In East Jerusalem alone 579 Palestinian residential units were demolished between 2004 -2015,

⁸⁰ Margalit, M., *Demolishing Peace: House Demolitions in East Jerusalem*, International Peace and Cooperation Centre, 2014, pp. 12

⁸¹ OCHA OPT., *East Jerusalem: Key Humanitarian Concerns*, https://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf, March 2011, pp. 29

⁸² Ibid

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ Margalit, M., *Demolishing Peace: House Demolitions in East Jerusalem*, International Peace and Cooperation Centre, 2014, pp. 24

⁸⁶ B’Tselem., *Statistics on Demolition of Houses Built Without Permits in East Jerusalem*, http://www.btselem.org/planning_and_building/east_jerusalem_statistics, 15th September 2015

resulting in the displacement of 2,133 people, 1,158 of which were infants.⁸⁷ Statistics from the West Bank mirror this severe pattern of displacement where the Jordan Valley, and the South Hebron hills, in particular, are the main target areas for demolitions. 927 demolitions took place in these areas between 2006 -2015, at the total displacement of 4,319 Palestinians, including 2,129 minors.⁸⁸ In 2015, 107 housing units in the West Bank were demolished at the displacement of 356 people, and 722 people were displaced as a result of 175 demolitions in 2013.⁸⁹ Currently, it appears the practise is once more swinging towards a more ruthless direction and draconian application, as 2016 is set to be the most destructive year yet since the UN began keeping records on this process. In a press release earlier this year, the UN Office for the Coordination of Humanitarian Affairs (OCHA) stated the destruction of Palestinian property in the first six weeks of 2016 had exceeded the total number for 2015. The IDF demolished or dismantled 283 houses and other structures were demolished or dismantled, displacing 404 Palestinians, including 219 children.⁹⁰

Margalit documents the obvious disproportionality in how the law concerning illegal structures is enforced in Jerusalem. She finds unequivocal proof that despite the clear evidence indicating most illegal construction takes place in the mostly Jewish, western side of the city, most demolitions are carried out in East Jerusalem.⁹¹ Between 2004 -2008, 21,419 building violations were recorded in West Jerusalem. In contrast, only 5,898 violations were documented in East Jerusalem during the same period. Only 27% of violations perpetrated on the western side of the city were issued judicial demolition orders. Conversely, 84% of building violations in East Jerusalem were issued with the same order.⁹² That constitutes a 57% difference in the likelihood of a demolition being ordered depending upon which side of the city the violation takes place. These numbers also hide the difference in severity between demolitions on either side of the Green Line. A clear indication is provided by comparing two cases on either side of the city, carried out days apart from each other. On November 17, 2010 an entire house of 110²m in East Jerusalem was destroyed in the neighbourhood of Beit Hanina. Two days later on the 19th November, 2010, a balcony consisting of 19²m was

⁸⁷ Ibid

⁸⁸ B'Tselem., *Planning and Building: Statistics on the Demolition of Houses Built without Permits in Area C*, http://www.btselem.org/planning_and_building/statistics, 6th September 2015

⁸⁹ Ibid

⁹⁰ OCHAOPT., *Press Release*, http://www.ochaopt.org/documents/hc_statement_demolitions_feb16_final.pdf, 17th February 2016

⁹¹ Margalit, M., *Demolishing Peace: House Demolitions in East Jerusalem*, International Peace and Cooperation Centre, 2014, pp. 58

⁹² Ibid, pp. 59

demolished in the Musrara neighbourhood of West Jerusalem. Far from representing a mere coincidence, the two cases illustrate how the municipality employs the term “structure” instead of “house” to claim equal treatment in the execution of demolitions despite the fact an entire family of six was left homeless in the former case, and none in the latter.⁹³

2.2 Cognitive and Emotions

The threats of house demolitions are not only a very serious and dramatic tool for seizing control of land, but are a serious strain on the personal and psychological well-being of Palestinians. A large number of families in East Jerusalem are reported to suffer from what is commonly referred to as “bulldozer anxiety,” a depressive syndrome resulting from the 11,000 demolition orders in the area still pending.⁹⁴ Margalit reports, “A quarter of the population lives in constant fear, with this black cloud...hovering over their heads as they go to sleep not knowing what the future holds for them.”⁹⁵

The immediate consequences of a demolition order extend far beyond displacement. Typically, demolitions are followed by long periods of instability for the family.⁹⁶ “It tears down the family structure, increases poverty and vulnerability and ultimately displaces a family from the environment that gives it cohesion and support.”⁹⁷ Once demolished, the family loses the property as a financial asset, sometimes along with all the contents. Often, families are further humiliated by being fined or charged to cover the costs of the actual demolition. Some families have even resorted to destroying the structures themselves to avoid any of these additional administrative fees costs,⁹⁸ with B’Tselem having recorded up to 69 incidences of self-demolitions since 2008 in East Jerusalem alone.⁹⁹

In the aftermath of a demolition, those displaced characteristically begin to manifest symptoms of depression as they endeavour to cope with the loss of losing a home. Studies reveal these symptoms are magnified in children when parents are incapable of meeting their needs as a

⁹³ Ibid, pp. 62-63

⁹⁴ Ibid pp. 13

⁹⁵ Ibid

⁹⁶ Save the Children., *Broken Homes: Addressing the impact of House Demolitions on Palestinian Children & Families*, https://www.savethechildren.org.uk/sites/default/files/docs/Broken_Homes_English_low_res.pdf, April 2009, pp. 8

⁹⁷ Ibid, pp. 10

⁹⁸ Ibid, pp. 13

⁹⁹ B’Tselem., *Statistics on Demolition of Houses Built Without Permits in East Jerusalem*, http://www.btselem.org/planning_and_building/east_jerusalem_statistics, 15th September 2015

result of the trauma suffered.¹⁰⁰ Imran Castiro, for instance, a 12-year-old boy whose family home in the Beit Hanina district of East Jerusalem was destroyed in 2013 stated, “I wake up at night panicking and cannot go back to sleep.”¹⁰¹ Moreover, the overall impact of the conflict on Palestinian children entails both physical and mental abnormalities. Child health and nutritional experts attribute the increasing number of child malnutrition and anaemia cases to the crippling situation in the Gaza Strip and the deteriorating state of affairs in the West Bank.¹⁰² Mentally, the situation is more disturbing as a large proportion (35%) of Palestinian school children are reported to have developed post-traumatic stress disorder (PTSD).¹⁰³ These findings amongst children are integral to reversing the current trajectory of the conflict, since “the trauma of personal loss due to the occupation... have long-standing detrimental effects on individuals.”¹⁰⁴ Many Palestinians hold the Israeli authorities responsible for their own exposure to trauma, with house demolitions particularly being seen as a source of heightened anxiety. Psychologists and medical practitioners alike confirm the lack of a personal safe haven make it impossible to “establish secure and adaptive relationships,” essential for fostering, empathetic and mentally well-developed adults.¹⁰⁵ Other studies find extensive exposure to the ongoing conflict directly influence and inform the way Israelis and Palestinians both think, feel and act in their attitude and behaviour toward one another.¹⁰⁶

The important implication of this finding strikes at the heart of the issue of policies like the demolition of property or the increasing cases of settler violence. Blatant discrimination underlines their enforcement, which in turn is deeply rooted within the increasingly intolerant nature of the Israeli public’s national psyche. These very attitudes support specific anti-

¹⁰⁰ Save the Children., *Broken Homes: Addressing the impact of House Demolitions on Palestinian Children & Families*, https://www.savethechildren.org.uk/sites/default/files/docs/Broken_Homes_English_low_res.pdf, April 2009, pp. 13

¹⁰¹ Castiro, I., as quoted in Pellicano, M., *Palestinian Children Traumatized After House Demolitions*, <http://www.al-monitor.com/pulse/originals/2013/06/palestinian-children-trauma-house-demolitions.html#>, June 10th, 2013

¹⁰² Quota, S., & Odeh, J., *The Impact of Conflict on Children: The Palestinian Experience*, Journal of Ambulatory Care Management, January-March, 2005, pp. 76

¹⁰³ Ibid

¹⁰⁴ Hassanein, S., & Abu-Rayya, H., *Loss and Psychological Support Among Palestinian Women in the Occupied Territories: An Evaluation of the Effectiveness of the “From a Bereaved Woman to Another” Project*, Journal of Loss and Trauma, 19, 2014, pp. 443

¹⁰⁵ Darwesih, M., *Human Rights and the Imbalance of Power: The Palestinian-Israeli Conflict*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_darweish_comm.pdf, 2010 pp. 79

¹⁰⁶ Ayer, L., et al., *Psychological Aspects of the Israeli-Palestinian Conflict: A Systematic Review*, Trauma, Violence, & Abuse, 2015, pp. 14

democratic polices.¹⁰⁷ The severity and rise in their enforcement since the end of the second *Intifada* coincides with a “very strong shift in Israeli mentality and politics toward the right, nationalism,” and “extremism.”¹⁰⁸ Surveys undertaken by the Israel Democracy Institute (IDI) and the Israeli polling agency, Dialog, both compiled results which reveal the extent to which Israeli Jews favour discriminatory policies towards Arabs. Opinions considered over a period of five years between 2003 -2008 show barely half of Israelis are in favour of Arab equality.¹⁰⁹ The same poll also found only 1.4 % of respondents, from a total of 1201 thought the Palestinian issue, the future of the occupied territories and the settlements constituted the most important problem for the government.¹¹⁰ In 2012, a similar survey conducted by Dialog discovered 503 of the 595 interviewees endorsed apartheid-like policies against the state’s Arab citizens.¹¹¹

2.3 Spiritual

These anti-Arab attitudes explain not only the legalistic rationale behind the house demolition policy but also why certain neighbourhoods, like Silwan in East Jerusalem, have become a battleground for control between Palestinian and Israeli Jewish families. The legalistic rhetoric is but only a singular discourse in justifying the expropriation of Palestinian property. Religious sentiments are simultaneously called upon to add a further, more culturally appropriate layer of justification in this endeavour. Prior to 1990 the Wadi Hilweh/City of David neighbourhood in Silwan did not have any Jewish residents. Over the past two and a half decades, the neighbourhood has since undergone a dramatic demographic transformation, with Jewish settlers controlling over a quarter of the same area.¹¹² Flagrant disregard for good governance practices have overseen this slow but significant transformation in the area’s demographic makeup as “the Jerusalem Municipality leads an open policy of discrimination against the

¹⁰⁷ Darwesh, M., *Human Rights and the Imbalance of Power: The Palestinian-Israeli Conflict*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_darwesh_comm.pdf, 2010, pp. 89

¹⁰⁸ Chomsky, N., in Chomsky, N., & Pappé, I., *On Palestine*, Penguin Books, USA, 2015, pp. 99

¹⁰⁹ Israel Democracy Institute (IDI), *The 2008 Israeli Democracy Index: Auditing Israeli Democracy Between the State and Civil Society*, [www.idi.org.il/sites/english/ResearchAndPrograms/The Israeli Democracy Index/Documents/2008DemocracyIndex.pdf](http://www.idi.org.il/sites/english/ResearchAndPrograms/The%20Israeli%20Democracy%20Index/Documents/2008DemocracyIndex.pdf), 2008, pp. 49

¹¹⁰ Ibid, pp. 54

¹¹¹ Levy, G., *Survey: Most Israelis Jews Wouldn’t Give Palestinians Vote if West Bank was Annexed*, <http://www.haaretz.com/israel-news/survey-most-israeli-jews-wouldn-t-give-palestinians-vote-if-west-bank-was-annexed.premium-1.471644>, Oct 23rd, 2012

¹¹² Rapoport, M., *Shady Dealings in Silwan*, Ir Amim, <http://www.ir-amim.org.il/sites/default/files/Silwanreporteng.pdf>, May 2009, pp. 39

Palestinians...in favour of Jewish settlers.”¹¹³ At its current rate of settlement, Silwan will undergo a complete metamorphosis from an Arab neighbourhood, connected to the Palestinian expanse of East Jerusalem, to a Jewish neighbourhood comprising a vital part of West Jerusalem. Founder of the NGO Terrestrial Jerusalem, Daniel Seidemann describes this process as a government-backed attempt to convert the enclaves of Jewish settlers in the neighbourhood into a “renewed pseudo Biblical theme park.”¹¹⁴

The religious significance of Silwan explains the tension taking place in the neighbourhood. Situated in close proximity to the third holiest site in Islam - Al-Aqsa – the compound also happens to be connected to the most sacred site in Judaism – the Western Wall. Both of these important religious monuments play their part exacerbating the recent surge in toxicity between Palestinians and Israelis as the former accused the latter of attempting to change the current *status quo* around the area.¹¹⁵ Israel’s continued occupation impedes directly on most Palestinians’ spiritual practise as access to the most important religious sites in Christianity and Islam are restricted. Whether it be the Al-Aqsa Mosque for Muslims or the Church of the Holy Sepulchre for Christians, Arabs with a Palestinian ID card are subject to military-issued movement permits, whilst Palestinians with a foreign passport are subject to a number of restrictive visa requirements.¹¹⁶ Israel's concentrated effort to restrict an individual’s right to religious practice coincide with overt attempts to re-Judaize neighbourhoods next to holy sites sacred to both peoples. Taken as a totality, such measures inflame existing animosities and contribute to the disintegration of religious co-existence.

Undoubtedly, however, the most evident breakdown in religious co-existence between Jewish Israelis and Palestinians is the situation in Hebron. Located south of Jerusalem in the West Bank, Hebron is the final resting place of Abraham, the patriarchal forefather of all three monotheistic religions: Judaism, Christianity and Islam. During the Oslo process, The Hebron Accords officially divided the city into H1 and H2 blocks. Israel was assigned control of the latter and the PA the former.¹¹⁷ A consequence of these agreements is that Israel effectively

¹¹³ Ibid

¹¹⁴ Ibid

¹¹⁵ Hanna, M., *Al-Aqsa Status Quo at the Heart of New Violence*, <http://www.aljazeera.com/blogs/middleeast/2015/10/al-aqsa-status-quo-heart-violence-151020113442046.html>, 20th October, 2015

¹¹⁶ PLO State Affairs Department., *The Annexation of Tourism: Israel’s Policies and Their Devastating Impact on Palestinian Tourism*, www.nad-plo.org, accessed 10/01/16, pp. 9

¹¹⁷ *Israel and Palestinian Authority: Hebron Accords (January 15, 1997)*, in Laqueur, W., & Rubin, B (eds)., *The Israel-Arab Reader*, Citadel Press, UK, 1969, pp. 522-523

has total control over the site of Abraham's burial which is both an operating Synagogue and Mosque. IDF soldiers have consistently aggravated this power by unilaterally closing the Mosque side of the site to Muslims during Jewish religious holidays,¹¹⁸ as well as preventing the Muslim call to prayer so as not to disturb illegal settlers during festivities.¹¹⁹ Settlers in Hebron are particularly renowned for their religious fundamentalism and clear disdain for their Arab co-habitants. Often the most hostile and violent, the xenophobic religious-nationalist psyche of the Hebron settlers is frequently encouraged by the IDF protecting them. Consequently, the atmosphere in the city is the tensest in any throughout the former Mandate, since "Hebron is the only Palestinian city that has Israeli settlers in the heart of its built up area, side-by-side with Palestinians."¹²⁰

Hebron's settler community is comprised of a meagre 400-500 people residing in 4 illegal settlements. Within H2 alone, roughly 40,000 Palestinians live alongside the few hundred Israeli settlers with a total of nearly 200,000 living across areas H1 and H2. The interaction between Palestinians and Israeli settlers is less than minimal, explaining why the latter are under constant military protection. At any one point in H2, 2000 IDF soldiers are deployed to provide all around the clock security for the Israeli settlers, a ratio of nearly 4:1.¹²¹ Violence and discrimination from both security forces and settlers fuels the utter collapse of relations between the two communities and compounds the personal sense of loss and victimization amongst Palestinians. Between the beginning of 2012 and November 2013, 700 Palestinians were injured by Israeli forces and settlers.¹²² More recently, within a period of little over a month, statistics reveal 22 residents had been murdered by security forces from the 1st October to 8th November, 2015.¹²³ Incidences of settler violence and harassment towards Palestinians occur on an almost daily basis under the noses of the security forces who are not shy in

¹¹⁸ IMEMC., *Israel to Close Ibrahimi Mosque to Muslims for Passover*, <http://www.imemc.org/article/71148>, April 6, 2015

¹¹⁹ Middle East Monitor., *The Occupation Banned Adhan at Al Ibrahimi Mosque 54 Times Last Month*, <https://www.middleeastmonitor.com/5/0006693/the-occupation-banned-adhan-at-al-ibrahimi-mosque-54-times-last-month>, December 3rd, 2010

¹²⁰ Freidman, L., & Etke, D., *Hebron – Settlements in Focus*, <http://peacenow.org.il/eng/content/hebron-settlements-focus>, October 2005

¹²¹ Marcuse, R., *After Birthright: Hebron – 500 Settlers, 2000 Soldiers and the Tensest Place I've Ever Been*, <http://mondoweiss.net/2010/09/after-birthright-hebron-500-settlers-2000-soldiers-and-the-tensest-place-ive-ever-been>, September 17th, 2010

¹²² OCHA., *The Humanitarian Impact of Israeli Settlements in Hebron City*, https://www.ochaopt.org/documents/ocha_opt_hebron_h2_factsheet_november_2013_english.pdf, November 2013

¹²³ Lendman, S., *Israel Terrorizes Hebron Residents. Settlers Urge Soldiers to Kill the Palestinians*, <http://www.globalresearch.ca/israel-terrorizes-hebron-residents-settlers-urge-soldiers-to-kill-the-palestinians/5487354>, November 8th, 2015

vocalising that their mandate is to protect Jews not Palestinians.¹²⁴ The latter's inability to equally impose the law has cultivated an ugly culture of impunity.¹²⁵ Former prominent figures in the PLO, such as Hanan Ashrawi go so far as to accuse the IDF as colluding with the settlers to make life unbearable for Palestinians.¹²⁶ The near exemption of settlers before the law means a miniscule population of 400 is able to terrorize and hold hostage an entire city of Palestinians as they face little consequence for their actions.¹²⁷

2.4 Parlevliet's Human Rights as Rules Dimension

For most Palestinians at the personal level, the current situation affects their physical well-being, self-esteem, emotional stability and spiritual integrity. The current discursive switch to a civil and human rights based approach should therefore be seen as a means to impose a uniformed rule of law, holding everyone accountable to the same rules. It is a tactic to resist and transform the current status quo by employing a strategic use of legalism to "orient and legitimize counterhegemonic struggles."¹²⁸ For Clare Anastas, a shop keeper from Bethlehem whose business is literally ten feet in front of the separation barrier, the breakdown in relations between Arabs and Jews at the personal level is a consequence of the uneven application of the law. Asked whether the trust between Jewish Israelis and Palestinians could be restored with the current state of hostilities she replied, "When there is law. No one can hurt you."¹²⁹

This line of thinking mirrors Parlevliet's first dimension of human rights as rules on a purely legal basis. That is, to "outlaw certain behaviours and actions and demand others, as contained in international instruments and domestic legislation and as enforceable through a court of law."¹³⁰ Under Lederach's personal mode this would include Article 2 of the International Covenant on Civil and Political Rights (ICCPR) which ensures authorities shall competently enforce remedies when a person's rights are recognized as violated,¹³¹ as well as Article 3:

¹²⁴ Hass, A., *Israeli Soldier to Palestinians in Hebron: We Protect Jews, Not You*, <http://www.haaretz.com/israel-news/.premium-1.589772> <http://www.haaretz.com/israel-news/.premium-1.589772>, May 9th, 2014

¹²⁵ Azarov, V., *Institutionalised Impunity: Israel's Failure to Combat Settler Violence in the Occupied Territories*, Alhaq.org, 2013, pp. 6

¹²⁶ Ashrawi, H., Interview, 21/10/15

¹²⁷ Muller, P., *Occupation in Hebron*, http://www.ochaopt.org/documents/opt_prot_aic_hebron_dec_2004.pdf, 2004, pp. 34

¹²⁸ Hajjar, L., *Human Rights in Israel/Palestine: The History and Politics of a Movement*, *Journal of Palestine Studies*, Vol. 30, No. 4, Summer 2001, pp. 21

¹²⁹ Anastas, C., Interview, 7/8/15

¹³⁰ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp.8

¹³¹ Article 2., *International Covenant on Civil and Political Rights (ICCPR)*, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>, accessed (9/1/15)

“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.”¹³² Given Israel has ratified such international instruments, the overriding Palestinian perspective is that it should abide its legal obligations. This is especially relevant at the time of writing, where a spate of stabbings from both sets of people have led to multiple extra judicial killings of Palestinians,¹³³ but only short jail terms for Jews.¹³⁴

Parlevliet, however, goes beyond a narrow, legalistic application of human rights law, arguing “it does not capture what is involved in ensuring respect for human rights in a society where injustice, insecurity, inequity and inequality have long been entrenched.”¹³⁵ According to her assessment, “while fundamental human rights can be taken as absolute concepts that are non-negotiable, their application, interpretation and realization is not absolute.”¹³⁶ Evidence of this is found within Israel itself, which has consistently utilised a nuanced application of human rights to justify its oppressive illegal practises in the West Bank and Gaza Strip. Parlevliet manages to avoid this issue by offering a holistic approach to applying human rights within conflict transformation. In a continuation of Lederach’s work, she advocates considering the different dimensional values underpinning human rights.

The third dimension she outlines parallels directly with Lederach’s second mode by advocating the value of social relationships. Both scholars advocate the transformative qualities of face-to-face relationships throughout the duration of conflicts, whether positive or negative, with Lederach linking them specifically to “issues of emotions, power...interdependence, communicative and interactive aspects,”¹³⁷ and Parlevliet as a means “to effectuate certain kinds of relationship in the public sphere.”¹³⁸ The absence of interaction and peaceful coexistence, along with their forced separation only serves to make the possible development

¹³² Article 3., Ibid

¹³³ Amnesty International., *Israeli Forces in Occupied Palestinian Territories Must End Pattern of Unlawful Killings*, <https://www.amnesty.org/en/press-releases/2015/10/israeli-forces-must-end-pattern-of-unlawful-killings-in-west-bank/>, Oct 27th, 2015

¹³⁴ Morag, G., *Jew who Stabbed Arab Gets less than Two Years*, <http://www.ynetnews.com/articles/0,7340,L-4750918,00.html>, Jan 10th, 2016

¹³⁵ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp.8

¹³⁶ Ibid, pp. 9

¹³⁷ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

¹³⁸ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp.9

of mutually respectful relationships between Jews and Arabs that much more difficult, as it “creates a divisive discourse that frames the life-course experience of individuals.”¹³⁹ Building amicable social relations is set to become an even greater and more imperative task given the current rate of settler expansion into the West Bank and the attitude of its most prominent representative body, the Yeshiva Council. The council’s lead spokesperson compares the current state of relations between Jewish Israelis and Palestinians to a medical dilemma in which a soldier has a piece of shrapnel lodged in their backside: “Operate to remove it, and the procedure could paralyze him; live with it, and he could continue to walk although not without pain.”¹⁴⁰

¹³⁹ Hammack, P., *Identity, Conflict, and Coexistence: Life Stories of Israeli and Palestinian Adolescents*, Journal of Adolescent Research, Vol. 21, No. 4, July 2006, pp. 324

¹⁴⁰ Sachs, N., *Why Israel Waits: Anti-Solutionism as a Strategy*, Brookings Institute, <http://www.brookings.edu/experts/sachsn>, October 20, 2015

Chapter 3: Relational Mode

The parable of the injured soldier at the end of the previous chapter, which compares Jewish-Israeli and Palestinian relations to the endurance of an uncomfortable injury, offers an illustrative analogy into the attitudes which currently underpin some influential portions of the Israeli public. As a conflict transformation practitioner, Lederach is very much interested in reversing this process to engender more peaceful and equal relationships. According to his relational mode, the purpose is to depict “the changes effected in and desired for the individual.”¹⁴¹ Currently, young Palestinians in East Jerusalem describe their encounters with Jewish Israelis as limited to either work or university, with some even stating they have little incentive to foster personal relations with them as friends.¹⁴² For the purposes of this thesis, the aim is not to offer any solutions to the breakdown in everyday Jewish Israeli-Palestinian relations, but to detail the causes of this collapse and the societal phenomena which exacerbates it. This is not a complete deviation from Lederach’s aim as a practitioner since under this mode, a key aspect is to “look beyond visible issues to the underlining changes produced by conflict in how people perceive, what they pursue, and how they structure their relationships.”¹⁴³ In this sense, this chapter uncovers the underlining issues which aggravate the conflict and prevent any formation of positive interrelationships between the two communities from taking root. Once again, a singular normative issue is used as an exemplar to link related issues together. In this case, the more apparent appearance of the separate road systems for Israelis and Palestinians in the West Bank is used as a lynchpin to discuss the enforced separation of both peoples. A major facet of this division includes the disparity between the two economies and the influx of foreign workers, which have made Israel less dependent upon Palestinian labour than it was in previous years. The gross imbalance in water distribution throughout the region is connected to the economic issues to show how Israel’s environmental policy essentially intensifies the growing humanitarian disaster in Gaza and generates larger pockets of unrest in the West Bank. Contact theory is then drawn upon to illustrate how the current social climate is lacking the pre-conditions necessary for equal based dialogues to take place. The normative issues analysed under Lederach’s relational mode are finally paralleled once more with

¹⁴¹ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

¹⁴² Unamed Palestinian., PIJ., *Young Palestinians Voices from East Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture, Vol. 21, No. 2, 2015

¹⁴³ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

Parlevliet's human rights as relationships dimension. Explaining the discursive switch currently underway amongst Palestinians, her importance at this stage centres on her focus that human rights can stimulate positive relationships both vertically and horizontally.

3.1 Separation- Physically and Existentially

Israel often comes under fire for its treatment and collective punishment of Palestinians, leading many outspoken critics and human rights activists to compare its regime to that of apartheid South Africa.¹⁴⁴ A key difference academics maintain when considering the similarities between the two regimes though is the South African distinction between “petty” and “grand” apartheid.¹⁴⁵ Petty apartheid denotes the palpable and physically noticeable aspects of segregation: restaurants, lavatories, public spaces. Grand apartheid, on the other hand, consisted of the regime's structural elements, like legislative institutions which maintained the capacious societal division between blacks and whites. The attributes of grand apartheid are often seen as more comparable when considering the analogy between Israel and South Africa, since within the state of Israel itself there are no Jewish only public areas. Jews and Arabs both use the same emergency services and are submitted to the same hospitals. However, the situation in the West Bank is increasingly beginning to resemble a more petty form of apartheid, with one of the most discernible indications being the set of separate roads for Palestinians and Jewish settlers.

The “forbidden road regime,” as it is often referred to in humanitarian circles, is “based on the principle of separation through discrimination.”¹⁴⁶ Consisting of approximately 105 km, this network of roads is completely off limits for any Palestinian vehicles, with another 180 km only accessible to VIP vehicles and ambulances.¹⁴⁷ In a continuation of its collective punishment policy, Israel's justification for the segregated road system is premised on the categorization of Palestinians as a threat.¹⁴⁸ According to this rationale, all Palestinians pose a distinct security risk and therefore placing restrictions upon their movement within the territory is justifiable. In practise, the true purpose of the “forbidden roads” is to serve the settlements. Officials consistently deny this accusation despite clear evidence suggesting the contrary. For

¹⁴⁴ White, B., *Israeli Apartheid: A Beginner's Guide*, Pluto Press, London, 2009

¹⁴⁵ Tilly, V., Interview, 3/7/15

¹⁴⁶ B'Tselem., *Forbidden Roads: Israel's Discriminatory Regime in the West Bank*, https://www.btselem.org/download/200408_forbidden_roads_eng.pdf, August 2004, pp. 3

¹⁴⁷ Human Rights Watch., *Separate and Unequal: Israel's Discriminatory Treatment of Palestinians in the Occupied Territories*, https://www.hrw.org/sites/default/files/reports/iopt1210webwcover_0.pdf, December 2010, pp. 14

¹⁴⁸ B'Tselem., *Forbidden Roads: Israel's Discriminatory Regime in the West Bank*, https://www.btselem.org/download/200408_forbidden_roads_eng.pdf, August 2004, pp. 3

instance, the roads often provide express lanes for illegal settlers to access Israel and often serve “no more than a few settlers.”¹⁴⁹ In addition, the rate of road construction in the region has far exceeded the natural growth of the settlement enterprise.

Israel’s network of “forbidden roads” is sub-divided into three categories which delineate to what extent they serve to restrict Palestinian movement. The first is the completely prohibited roads, which as the name suggests, forbid any Palestinian vehicle. IDF soldiers enforce this prohibition through a system of checkpoints and road blocks. In some instances, some of these road blocks have obstructed access to Palestinian villages without any official prohibition having been announced. Their impracticality also mean Palestinians are proscribed from even crossing forbidden roads, restricting access to roads which are not formally prohibited.¹⁵⁰ The second category is the partially restricted. These include roads which Palestinians are expected to apply and obtain a permit in order to travel. Permits are issued by the Civil Administration through the District Civil Liaison Office and successful applications depend very much upon the social climate at the time. During periods of sporadic violence and upheaval, travel is especially restricted with only permit holding buses granted access.¹⁵¹ Given the legal status of these roads are not set in any formal written policy, access to them can be temperamental, discouraging people from relying on them. The final category includes the roads where travel is restricted. These include the roads which can be accessed as a result of restrictions on other roads. In general, permits are not required to access these roads, but the IDF do check vehicles and people passing through the checkpoint. Checkpoints can be long and tedious affairs depending on the traffic, causing many to refrain from using them.

Due to Israel’s “forbidden roads” regime, Palestinians have had little choice but to adapt their travel habits by avoiding main roads and finding longer, more inconvenient alternate routes.¹⁵² Many have been forced to use public transport instead of their cars since private vehicles are prohibited from passing certain checkpoints. The more macabre consequence of the regime are the deaths of Palestinian civilians caused as a result of soldiers refusing to let them cross checkpoints for medical treatment. In 2004, B’Tselem recorded 39 such cases, of which 15 were minors.¹⁵³ While on their own these cases are extreme, the practise of delaying people at

¹⁴⁹ Ibid, pp. 6

¹⁵⁰ Ibid, pp. 11

¹⁵¹ Ibid, pp. 15

¹⁵² Ibid, pp. 19

¹⁵³ Ibid

checkpoints on their way to seek medical attention is not, as ambulance crews heading into the West Bank often endure similar treatment.

The sense of uncertainty around the regime is sustained by an absence of clinical legal formalities, which dictates what does and does not consist of severe malpractice. IDF spokespersons justify the actions of their soldiers by arguing they are adhering to “verbal orders.”¹⁵⁴ It is this lack of clarity in official policy which have led some outspoken critics to go as far as to say Israeli apartheid is much worse than its South African counterpart.¹⁵⁵ Commenting on the distinguishing features of Israeli apartheid, law professor and former chairman of the UN Commission on Human Rights John Dugard argues it is less honest than its South African predecessor. Dugard notes how the Israeli brand is not set in any rigid legal system and lacks any obvious physical examples of segregation.¹⁵⁶ Former Education Minister of Israel Shulamit Aloni alluded to such manifestations when publically admitting the existence of systemic discriminatory practises amongst the IDF in reference to the forbidden roads. Recalling an incident where she came across a soldier confiscating a Palestinian’s vehicle for driving on a Jewish only road, she inquired what exactly distinguished the road as “Jewish only.” In response the soldier said,

“It is his responsibility to know it, and besides, what do you want us to do, put up a sign here and let some anti-Semitic reporter or journalist take a photo so he that can show the world that Apartheid exists here?”¹⁵⁷

The underlining sentiment of racial superiority in the above statement gives credence to the comparison between the current Israeli regime and Apartheid South Africa. Indeed, even Nelson Mandela himself once stated in a public address, “We know all too well that our freedom is incomplete without the freedom of the Palestinians.”¹⁵⁸ However, one of the key differences between Israeli and South African Apartheid is the nature of relations between the two adversary groups in each case. In South Africa nearly 80% of the population were black. This meant the ruling white population was heavily dependent upon the black population as a

¹⁵⁴ B’Tselem., *Checkpoints, Physical Obstructions and Forbidden Roads*, http://www.btselem.org/freedom_of_movement/checkpoints_and_forbidden_roads, 20th May, 2015

¹⁵⁵ Dugard, J., *Hisham B. Sharabi Memorial Lecture: Apartheid and Occupation under International Law with John Dugard*, <http://www.thejerusalemfund.org/ht/display/ContentDetails/i/5191/pid/3584>, 26th March, 2009

¹⁵⁶ Ibid

¹⁵⁷ Aloni, S., *Yes, There is Apartheid in Israel*, <http://www.counterpunch.org/2007/01/08/yes-there-is-apartheid-in-israel/>, January 8th, 2007

¹⁵⁸ Mandela, N., *Address at the International Day of Solidarity with the Palestinian People*, <http://anc.org.za/show.php?id=3384>, 4th December, 1997

reliable labour resource. In Israel, not including the West Bank, these figures are reversed as 20% of the population are either Arab-Israeli, Bedouin or Druze, whilst the remaining 80% consist of different Jewish denominations. As a state therefore, the ruling Jewish majority in Israel are self-sufficient and far less dependent upon the labour force of the Palestinian underclass. "South Africa was different because the white population needed its black counterpart. It was its workforce. Israel does not want the Palestinians."¹⁵⁹

A major consequence of this difference is the lack of interactions taking place between Jewish Israelis and Palestinians on an everyday basis. The current Zionist agenda to Judaize as much land as possible with the least number of Arabs as possible, along with the physical signs of segregation such as the separation barrier and the "forbidden roads" regime, all contrive to create an ever more intense situation in which direct contact between the two groups is restricted to such an extent that, "young Palestinians...have never exchanged a single sentence with an Israeli Jew."¹⁶⁰ There used to be a massive labour migration across from the occupied territories "where Palestinians flooded into Israel and worked in all kinds of sectors," including agriculture and construction.¹⁶¹ Since the erection of the separation barrier after the second *Intifada*, however, Israel has intensified its efforts to realise its founding father's dream to "expel Arabs and take their place."¹⁶² As well as placing more stringent restrictions on Palestinians to enter Israel, over 430 factories and 9,000 small shops have been destroyed since September 2000, accelerating the rate of unemployment and strangling the local economy.¹⁶³

Israel's measures to weaken its dependency on Palestinian labour is seen by some scholars as a means to avoid a similar fate to apartheid South Africa. As noted above, the downfall of apartheid South Africa was its heavy dependence upon the black population as a workforce. Presently, Israel is not reliant on the Palestinian labour force hence the outcome of the conflict is set on a totally different trajectory.¹⁶⁴ During the Oslo process, the rate of permits issued to Palestinians for work in Israel remained between 46,000 and 51,000 a year.¹⁶⁵ A dramatic drop

¹⁵⁹ Chomsky, N., *On Palestine*, Penguin Books, London, 2015, pp. 76

¹⁶⁰ Tilley, V., Interview, 3/7/2015

¹⁶¹ Ibid

¹⁶² Ben-Gurion, D., *Letter from David Ben-Gurion to his Son Amos, Written 5 October 1937*, <http://www.archiv.palaestina-heute.de/1937/1937100501/1937100501.pdf>, 1937, pp. 4

¹⁶³ Palestinian Grassroots Anti-Apartheid Wall Campaign., *Impact on Palestinian Workers Under Israeli Occupation*, <http://www.stopthewall.org/impact-palestinian-workers-under-israeli-occupation>, October 30th, 2011

¹⁶⁴ Tilley, V., Interview, 3/7/2015

¹⁶⁵ Farsakh, L., *Palestinian Labour Flows to the Israeli Economy: A Finished Story?*, <http://www.palestine-studies.org/jps/fulltext/41127>, 2002/3

to only 4,000 in 2001 indicates the extent to which the *Intifada* impacted the Israeli political and national psyche in enforcing the principle of separation. Statistics prior to the Oslo Accords are far more indicative of a state of affairs when Israelis and Palestinians were more integrated. During the 70's and 80's Palestinian workers represented a third of Israel's overall workforce and generated nearly a quarter of the gross national product for both the West Bank and Gaza strip.¹⁶⁶ To offset the loss of Palestinian labour, Israel began importing workers from abroad in 1993.¹⁶⁷ In 1987, foreign, non-Palestinian workers in Israel constituted a mere 0.2% of the population, yet only three years after Oslo, the same demographic stood at 5.1%.¹⁶⁸ This shift occurred as Israel became increasingly cautious of its dependency on Palestinian labour after the fall of Apartheid.¹⁶⁹

Consequently, this policy had the adverse effect of further limiting the amount of physical contact between Jewish Israelis and Palestinians. Even during South African Apartheid, blacks and whites grew up together and were frequently greeted by each other's presence. White families would have black maids and gardeners. It may have been a severely unequal relationship, but blacks and whites could meet in their everyday surroundings and did converse. In Israel-Palestine on the other hand, apart from Jerusalem, where there is minimal contact in the tightly squeezed Old City, there are next to no opportunities or regular social settings where the two groups actually meet. Unfortunately, more often than not, the only Israelis Palestinian children "come into contact with are the soldiers whom they meet or settlers."¹⁷⁰ This stark divide in physical contact intensifies the mutual feelings of resentment on both sides.

3.2 Economy – The Last Possible Recourse for Relations

As noted previously, the relational mode extends beyond the visual signs of the conflict and encompasses the subtle underlining issues deepening the current impasse. One of the major consequences of the Israeli occupation is its devastating effects on the Palestinian economy. Under the Gaza-Jericho Agreement, another product of the Oslo Accords, both parties recognised the importance in laying the "groundwork for strengthening the economic base of the Palestinian side and for exercising its right of economic decision making in accordance

¹⁶⁶ Ibid

¹⁶⁷ Bartram, V., *Foreign Workers in Israel: History and Theory*, International Migration Review, Vol. 32, No. 2, Summer 1998, pp. 303

¹⁶⁸ Ibid, pp. 313

¹⁶⁹ Tilley, V., Interview, 3/7/2015

¹⁷⁰ Damelin, R., <http://www.justvision.org/interview-question/why-there-so-little-contact-between-israeli-and-palestinian-school-kids>, 2005

with its own development plan and priorities.”¹⁷¹ Twenty-two years later, scholars certify economic output per Palestinian worker grew insignificantly.¹⁷² Output per worker did not even rise until 2010, and was restricted to the much donor-contribution-dependent public sector only. In fact, in the first ten years after Oslo, macroeconomic analysis demonstrates productivity actually declined. These studies reveal Israel’s occupation, since Oslo severely constrained the Palestinian economy’s ability to invest, preventing any accumulation of capital, and cementing a state of stagnation.¹⁷³ The limitations placed on the Palestinian economy are rooted in restricted access to roads, land, infrastructure and machinery; all of which the occupation imposes externally. Even Israel’s most fervent ally, the United States, acknowledges restrictions placed on “external markets imposed by the Government of Israel...continue to have a deleterious effect on the private sector and limit economic growth.”¹⁷⁴

The separation wall provides a salient and corporeal example of how the barrier has decimated the Palestinian economy. Before its construction, Jerusalem served as the nerve centre for Palestinian commerce, connecting many businesses to Arab cities throughout the West Bank. Nearly thirteen years since the construction commenced, “Palestinian agricultural and economic activity has decreased in areas once considered stable.”¹⁷⁵ Not only was Palestinian land forcibly seized illegally in order to construct the barrier, but its route fragments numerous Arab communities, and severs any possibility of agricultural or urban contiguity, whilst expertly incorporating illegal Israeli outposts within its arbitrary boundary. The physical effects of the barrier are illustrated most notably by the remaining plans to complete the wall in East Jerusalem. In the map below (fig. 1), the Green Line clearly demarcates the internationally recognised border between Israel and Palestine, while the blue shapes symbolise Jewish-Israeli neighbourhoods. Neighbourhoods like Gilo and the French Hill beyond the Green Line are technically illegal, according to international law. The white line, flanked by a set of parallel red lines, represents the proposed route of the separation barrier. Contrary to Israeli

¹⁷¹ Preamble., *Gaza-Jericho Agreement Annex IV- Economic Protocol*, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/gaza-jericho%20agreement%20annex%20iv%20%20economic%20protoco.aspx>, 29th April, 2014

¹⁷² The AIX Group., *Palestinian Economic Development: The Destructive Effects of Occupation*, in Arnon, A., & Bamyia, S (eds.), *Economics and Politics in the Israeli Palestinian Conflict*, The AIX Group, February 2015, pp. 42

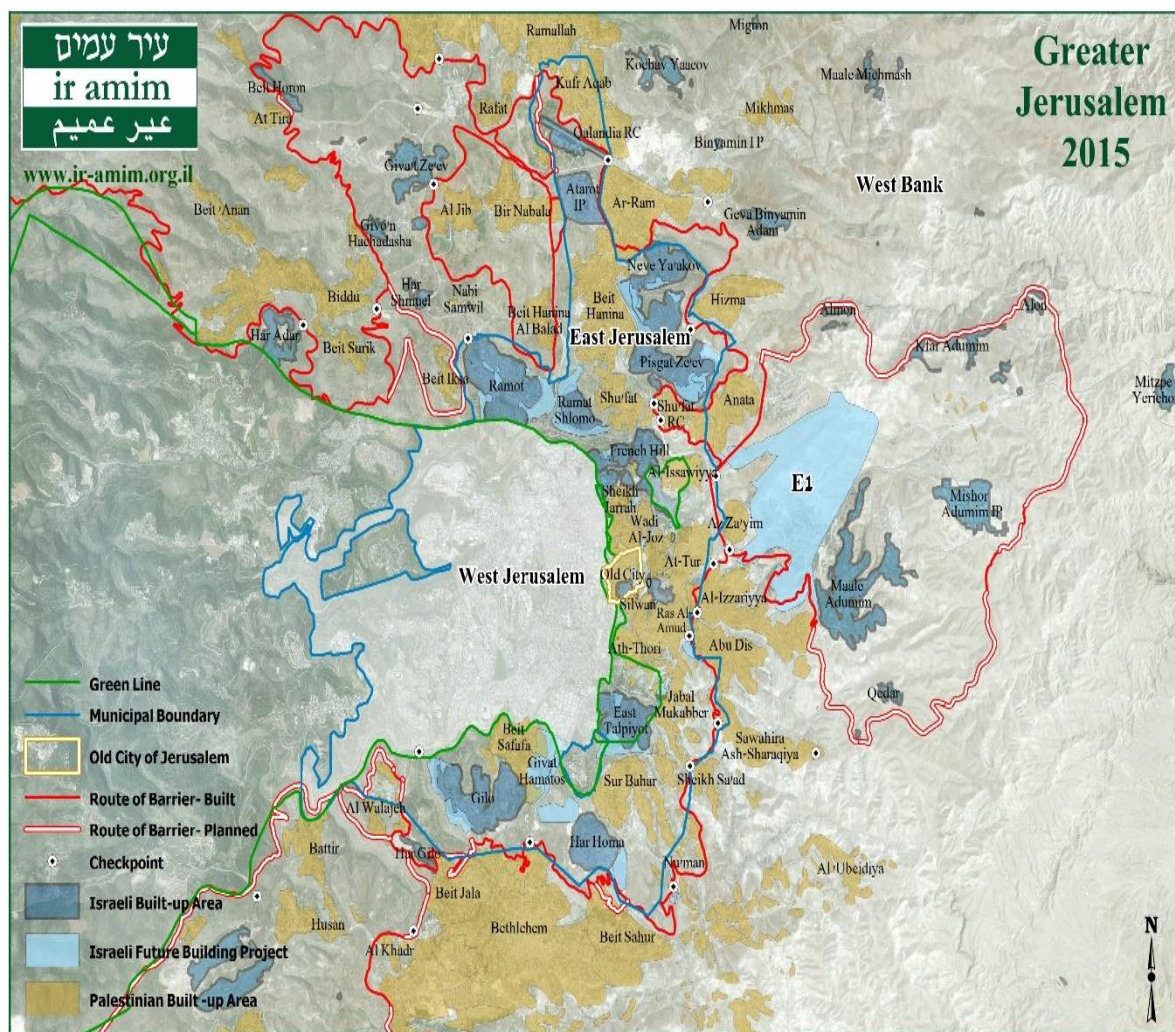
¹⁷³ Ibid

¹⁷⁴ Bureau of Economic and Business Affairs, U.S. Department of State., *2013 Investment Climate Statement – West Bank and Gaza*, <http://www.state.gov/e/eb/rls/othr/ics/2013/204761.htm>, February 2013

¹⁷⁵ B’Tselem., *Arrested Development: The Long Term Impact of Israel’s Separation Barrier in the West Bank*, https://www.btselem.org/download/201210_arrested_development_eng.pdf, October 2012, pp. 69

justifications that the separation barrier serves only as a temporary security measure, the map shows how it is actually a tool used to seize large swathes of land, as it loops around several scattered outposts. As for Palestinian contiguity, the map also shows how numerous Palestinian neighbourhoods are effectively cut off from one another as result of the barrier's construction. Bethlehem, for instance, was considered by Palestinians as forming a vital part of Jerusalem.¹⁷⁶ Now, a small town which is literally a two-minute walk away from Jerusalem may effectively be a thousand miles away given the restrictions placed upon Palestinians in the West Bank to visit the Holy City.

(Fig.1)



In terms of the Palestinian economy, the closure of East Jerusalem effectively cuts the West Bank into two distinct, north and south entities. Previously, the north and south of the West

¹⁷⁶ Anastas, C., Interview, 7/8/15

Bank were connected through roads leading through East Jerusalem. Since these ties have been severed, commuters and businesses have to use poor quality roads further east of the separation barrier, prolonging journeys and increasing the cost of mobility.¹⁷⁷ Alongside the restricted road system, hundreds of movement barriers throughout the West Bank further impair the Palestinian economy. Though the evidence suggests the number of roadblocks throughout the West Bank has steadily decreased since 2008, 490 still remain in 2014.¹⁷⁸ Lack of access to most of the available land in the West Bank discourages potential international investors from further stimulating the economy. This is despite evidence suggesting the Palestinian economy being relatively free of corruption, bureaucratically effective and having well developed financial markets in comparison to other countries in the region.¹⁷⁹

Juxtaposing the current political impasse, the aftermath of the 2014 Gaza war and the increase in social tensions, these commercial impediments result in further “labour decline with serious consequences for the Palestinian economy.”¹⁸⁰ As the occupation persists and more settlements are built, the possibility for a viable, vibrant and productive Palestinian economy are increasingly diminished. In the third quarter of 2015, unemployment in Palestine rose 27.4% up from 24.8%.¹⁸¹ Unfortunately, these statistics represent the norm rather than an anomaly. Palestinian unemployment averaged 26.1% between January 2013 and July 2015, and “22.91% from 1995 until 2015.”¹⁸² Combined, roads and settlements slice large parts of the West Bank into small, densely populated enclaves with little to no interconnecting infrastructure. Viable job opportunities within these isolated enclaves are so few and far between, and the economic situation so dire that both adults and children, under the legal age limit, have resorted to working in settlement farms to get by.

Human Rights Watch last year reported hundreds of Palestinian children were working on Israeli settlement farms.¹⁸³ The NGO reported interviewing children as young as 11 years old, working eight hour shifts, six, sometimes seven days a week for around \$19 a day. From the

¹⁷⁷ The AIX Group., *Palestinian Economic Development: The Destructive Effects of Occupation*, in Arnon, A., & Bamyá, S (eds.), *Economics and Politics in the Israeli Palestinian Conflict*, The AIX Group, February 2015, pp. 51

¹⁷⁸ Ibid, pp. 51

¹⁷⁹ Ibid, pp. 58

¹⁸⁰ International Labour Organisation (ILO)., *ILO: Unemployment Amongst Palestinians up by Over 25 Per Cent*, http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_371179/lang--en/index.htm, 28th May 2015

¹⁸¹ Trading Economics., *Palestine Unemployment Rate*, <http://www.tradingeconomics.com/palestine/unemployment-rate>, accessed 20/01/2016

¹⁸² Ibid

¹⁸³ Human Rights Watch., *Ripe for Abuse: Palestinian Child Labour in Israeli Agricultural Settlements in the West Bank*, <https://www.hrw.org/report/2015/04/13/ripe-abuse/palestinian-child-labor-israeli-agricultural-settlements-west-bank>, April 13th, 2015

38 children and 12 adults interviewed for the report, all the interviewees admitted “they took the work due to a lack of alternative jobs and...the dire economic conditions faced by their families.”¹⁸⁴ 21 of the children interviewed had dropped out school by grade 10 or earlier, since completing one’s education is seen as a waste of time when future job opportunities are scarce due to restricted access to water, land and freedom of movement.

In the wake of the current round of violence at the time of writing, Israel has taken steps to deepen this economic situation by banning Palestinians them from working in Israeli settlements.¹⁸⁵ Citing security reasons, Israel has decided to restrict the number of permits issued to Palestinians on a day-to-day basis. The long term results of these measures are presently unanalysable. Yet, it can be safely assumed in the short term, they are likely to not only further restrict the minimal amount of contact time between Palestinians and Jewish Israelis but also exacerbate the current economic plight of the average Palestinian family. In spite of the settlements presenting one of the fundamental obstacles to peace, in a cruel sense of irony, they also present a small number of Palestinians with a stable income in an otherwise unstable economy. Israel, in this sense, has succeeded in reversing the labour dependency relationship which ultimately undermined Apartheid South Africa. Rather than Israel being dependent upon Palestinian labour, the Israeli government has engineered an economic climate where Arab labourers are dependent on the Israeli government.¹⁸⁶

The situation in Gaza, however, is significantly worse. According to the World Bank, since the beginning of 2014, Gaza’s economic performance was 250% worse than any of its relevant comparators, including the West Bank.¹⁸⁷ Unemployment reached 43% in the fourth quarter of 2014 after increasing, on average, eleven percentage points from the previous year.¹⁸⁸ Water restrictions seriously impact agricultural yields, compromising the territory’s food security. Moreover, since 2009, the Gaza Strip has been unable to treat its sewage properly. Israel’s

¹⁸⁴ Ibid

¹⁸⁵ Younes, A., *Israel Bans Palestinian Settlement Labourers from Work*, http://www.aljazeera.com/news/2016/01/israel-bans-palestinian-settlement-labourers-work-160120090017992.html?utm_content=buffer819d&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer, 20th January, 2016

¹⁸⁶ Hamad, A., Interview, 8/7/15

¹⁸⁷ The World Bank., *Economic Monitoring Report to the Ad Hoc Liaison Committee*, http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2015/05/27/090224b082eccb31/5_0/Rendered/PDF/Economic0monit0oc0liaison0committee.pdf, May 27th, 2015, pp. 6

¹⁸⁸ Ibid.

action during Operation Cast Lead severely damaged the “wastewater-treatment facilities, resulting in higher quantities of untreated sewage.”¹⁸⁹

A mere 30,000 cubic metres, approximately 25%, of Gaza’s waste water is treated and recycled for agricultural use per day. The remaining 90,000 cubic metres creates health hazards and damages Gaza’s small fishing industry as it makes its way into the Mediterranean.¹⁹⁰ At present, the water situation is so severe the UN predicts by 2020 the Gaza strip will no longer produce any clean water as a result of irreversible damage to the territory’s main aquifer.¹⁹¹ These harrowing predictions also included the West Bank and Israel. Although nowhere near as morbid as the UN’s predictions concerning the future water situation in Gaza, the World Resource Institute (WRI) recently ranked Israel as one of the most under threat states to suffer from severe water scarcity by 2040.¹⁹²

Israel and Palestine are both dependent on the same water sources: the Mountain Aquifer and the upper Jordan River and its tributaries. The Mountain Aquifer supplies almost a quarter of Israel’s water, including its illegal settlements, as well as practically every Palestinian in the West Bank. The depletion of this key natural resource presents a rare opportunity for both sides to address this urgent matter as a joint task force. It should conceivably present a possible avenue to forge closer ties, since according to the UN, nurturing cooperative opportunities in water management by explaining the challenges and benefits of collaboration “can help build mutual respect, understanding, and trust among countries and promote peace, security and sustainable economic growth.”¹⁹³ Examples of water cooperation are found across the globe, in some of the most hostile and conflict ridden areas. The Indus Water Treaty (IWT), for instance, has survived a number of skirmishes and conflicts between India and Pakistan, indicating “even the most hostile nations have a capacity for water cooperation.”¹⁹⁴ The level of hostility on both sides, in Israel and Palestine, however, prevent any such cooperation from taking place. Former head of the British Council for Israel, and now head of the environmental

¹⁸⁹ B’Tselem., *Water Crisis in Gaza Strip: Over 90% of Water Un-Potable*, http://www.btselem.org/gaza_strip/gaza_water_crisis, February 6th, 2014

¹⁹⁰ Abu Safieh, Y., *How the Occupation Affects Palestinian Natural Resources*, Palestine-Israel Journal (PIJ), Vo. 19, No. 4 & Vol. 20, No. 1, 2014, pp. 141

¹⁹¹ UN., *Gaza in 2020: A Liveable Place?*, <http://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf>, August 2012, pp. 3

¹⁹² Maddocks, A., Young, R., & Reig, P., *Ranking the World’s Most Water-Stressed Countries in 2040*, <http://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf>, August 26th, 2015

¹⁹³ UN., *Water Cooperation*, http://www.un.org/waterforlifedecade/water_cooperation.shtml, 24/10/2014

¹⁹⁴ Sudan, F., & Singh, I., *Water Conflict and Cooperation between India and Pakistan: Opportunities and Challenges for Ensuring Food Security*, <http://icid2015.sciencesconf.org/74315/document>, accessed 22/01/16

branch of the NGO Israel-Palestine Centre for Research and Information (IPCRI), Robin Twite argues there are practically no joint environmental management projects taking place currently.¹⁹⁵ When he initially undertook the role in 1995, Twite recalls how he thought the environment presented a great unifying factor if Palestinians and Israelis could recognise their common interests. A sense of optimism after Oslo ushered a wave of cooperation, with approximately 35-40 research projects taking place between Israeli and Palestinian universities right up until 2000. Today, Twite estimates there are as little as 5 or 6 due to the PA forbidding Palestinian universities from cooperating with their Israeli counterparts.¹⁹⁶

The closure of this avenue is only set to deepen the sense of injustice amongst Palestinians as their main water resource is not only further depleted, but also egregiously distributed as Israel acts as the main administrator. Hydro-political analysis over the past six decades reveal the asymmetrical practise of ground water pumping and allocation.¹⁹⁷ Within the Jordan River basin, Israel consumes 57% and Jordan 35% of the water whilst Palestinians are allotted only 8%. More shockingly, in the occupied territories, scholars and hydrogeologists estimate 80-95% of the water allocated to the area is consumed by Israeli settlers who make up 10% of the population of the land.¹⁹⁸ Critics condemn these disconcerting figures and denounce Israel's water policies as constituting little more than a "drip-feed" the PA has little to no say in.¹⁹⁹

3.3 Allport's Contact Theory

Allport's contact theory offers a holistic approach to understanding the complete breakdown in everyday Palestinian-Israeli relations. More importantly, for the objective of this thesis, it also exposes the interconnections between the above normative issues and how they pertain to Lederach and Parlevliet's relational mode/dimension. Contact theory proposes hostile environments may be eventually abated by engineering peaceful social conditions in which positive interactions between adversaries can take place. Allport outlines four primary conditions necessary to engender positive intergroup contact: equal status, common goals, intergroup cooperation, and support by social and institutional authorities.²⁰⁰ At present, none

¹⁹⁵ Twite, R., Interview, 3/8/15

¹⁹⁶ Ibid

¹⁹⁷ Zeitoun, M., Messerschmid, C., & Attili, S., *Asymmetric Abstraction and Allocation: The Israeli-Palestinian Water Pumping Record*, Ground Water, Vol. 47, No. 1, January-February 2009, pp. 146

¹⁹⁸ Kamhawi-Bita, N., *Israel's Obligations Concerning Natural Resources According to International Law*, Palestine-Israel Journal (PIJ), Vol. 19, No. 4 & Vol. 20, No. 1, 2014, pp. 15

¹⁹⁹ Hass, A., *Otherwise Occupied// The Israeli 'Watergate' Scandal: The Facts About Palestinian Water*, <http://www.haaretz.com/middle-east-news/1.574554>, February 16th, 2014

²⁰⁰ Allport, G., *The Nature of Prejudice*, Addison-Wesley Publishing, U.S.A, 1954, pp. 281

of these conditions are exhibited between Jewish-Israelis and Palestinians. All four conditions are either completely absent or only remotely applicable.

According to Allport, “Prejudice may be reduced by equal status contact...in the pursuit of common goals.”²⁰¹ The construction of separate road systems for each ethnic group in the West Bank, however, is a physical manifestation of the unequal status between Arabs and Jews. The well-tarmacked, spacious Jewish-only highways, interconnecting settlements in the West Bank to Israel proper, in contrast to the gravel-riddled, makeshift dirt roads which constitute the Palestinian road system in the exact same territory are a clear indication of the culturally institutionalised disparity between the two groups. These infrastructural indications of inequality are then reflected at the societal level, as recent polls in Israel show 45% of Israeli Jews do not think the state’s Arab residents should be considered equal.²⁰² This culturally institutionalised inequality prevents any common goals from emerging, since the asymmetrical dynamic, which defines the relationship is exploited by making the inferior Palestinians dependent upon Israel’s insecure job market. Whereas, in Apartheid South Africa, common goals could be located in strengthening the economy to which both blacks and whites were subject. In Israel-Palestine, not only does each side have its own economy, but the latter relies heavily on the former without the reverse dependency taking root. A lack of common goals due to the dependency imbalances within the relationship result in a toxic atmosphere in which cooperation is unable to take place. The trivial number of joint ventures tackling the region’s mounting environmental dilemmas is testament to this. Water scarcity and degradation are issues which directly concern both sides, and therefore, should theoretically present a rare opportunity for cooperation. Yet, the lack of common goals and sense of inequality between the two inhibits any possibility for cooperative action. In addition, this particular issue extends into other domains beyond the environment. The self-deprecating and unpatriotic stereotype of peace organisations inside Israel explains the poor turn out for initiatives aiming to normalize societal relations.²⁰³ Fully compounding the situation is the complete absence of institutional support fostering equal relationships between Jews and Arabs, with Israeli policies in the legal and political domains directly restricting Palestinian access to movement, work and water. Thus, when compared to Allport’s prescription to engender positive contact, the current state

²⁰¹ Ibid

²⁰² Omer-Man, M., *Poll: 45% of Israeli Jews Don’t Think Arabs Should Have Equal Rights*, <http://972mag.com/author/michaelom/>, January 19th, 2016

²⁰³ Hassouna, S., *An Assessment of Dialogue-Based Initiatives in Light of Anti-Normalization Criticism and Mobility Restrictions*, *Palestine-Israel Journal of Politics, Economics and Culture*, Vol. 21, No. 2, 2015

of affairs in Israel-Palestine is an inevitable consequence of an atmosphere which purposefully breeds separation. The further the two groups are separated, both physically and existentially, the more embittered the feelings of animosity are set to fulminate. A recent poll conducted by the Institute for International Security Studies found 36% of Jewish Israelis considered the 1.3 million Arab residents in Israel as “enemies.”²⁰⁴ The same poll found 44% of Israeli Jews felt Arabs were to be treated with suspicion. In comparison, 19% of Israeli Arabs said they were not interested in having contact with Jews.²⁰⁵ It is these disturbing trends, which Parlevliet attempts to reverse by considering human rights alongside conflict transformation.

3.4 Parlevliet’s Human Rights as Relationships Dimension

According to Lederach, the relational mode “depicts the changes affected in and desired for face-face relationships.”²⁰⁶ Similarly, under Parlevliet’s analysis, focusing on human and civil rights as relationships “refers to the relevance of rights for organising and governing the interaction between states and citizens.”²⁰⁷ In the context of Israel-Palestine, the Palestinian call for equality stems from a desire for Israelis to recognise the significance of their plight and the deep, ontological consequences it permeates. By understanding the conflict from a human rights perspective, this discursive switch effectuates a change in how the conflict is perceived by addressing underlining consequences of its perpetuation, which are not easily categorised into notions of nationalism. On a horizontal basis, the focus on human rights is a means to balance the legal, economic and political disparities between Arabs and Jews. At present, only 26% of Israeli Jews feel the growing relations crisis in the country can be overturned by making Arabs more equal to the country’s Jewish citizens.²⁰⁸ It is these attitudes which are the target of the human rights debate, since “they are concerned with how people should be treated so that their dignity is respected.”²⁰⁹ A focus on human rights draws attention to the untenable

²⁰⁴ Institute for National Security Studies (INSS)., in Harman, D., *Poll: More than a Third of Jewish Israelis See Arab Citizens as ‘Enemies.’*, http://www.haaretz.com/israel-news/.premium-1.698370?utm_campaign=Echobox&utm_medium=Social&utm_source=Facebook, January 20th, 2016

²⁰⁵ Ibid

²⁰⁶ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

²⁰⁷ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 9

²⁰⁸ Institute for National Security Studies (INSS)., in Harman, D., *Poll: More than a Third of Jewish Israelis See Arab Citizens as ‘Enemies.’*, http://www.haaretz.com/israel-news/.premium-1.698370?utm_campaign=Echobox&utm_medium=Social&utm_source=Facebook, January 20th, 2016

²⁰⁹ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 9

human situation in the region by shifting the discourse away from vague nationalist aspirations to very specific and concrete civic, social and democratic rights.²¹⁰ This is not to say switching attention from a two-state solution to Palestinian rights will miraculously improve the welfare of the average Palestinian but expanding the discourse “might have various positive effects.”²¹¹ Removing the dire social implications of the conflict from the political realm by appealing to a human rights discourse, thoroughly steeped in clear legalistic terms, addresses the responsibility of ordinary Israelis to recognize how “their actions and beliefs impact on the extent to which others are able to realize their rights.”²¹²

Critics and staunch supporters of Israel would be correct at this stage to point out this relational aspect to human rights equally applies to Palestinians, as well as Israel. Nevertheless, given the asymmetrical nature of the conflict, the focus on Israeli attitudes and policy here is to highlight how the clear disparities between the two groups and violation of numerous Palestinian rights creates a breeding ground for heightened animosity and victimization, which eventually manifests itself in direct violence. Pointing to the physical signs of Apartheid and calling for a proportional distribution of key resources, equal rights advocates aim to transform the conflict for the sake of alleviating the social and economic pressures endured on a daily basis. One unnamed Palestinian put it succinctly when asked if (s)he had normal relations with Israelis on a personal level.

“The problem is not with religion; it is whether it is humane or not humane, if they violate our rights or not. If they don’t violate our rights, and recognize them, we might talk to them.”²¹³

On a vertical basis, adopting a human rights based approach allows activists to emphasize “the responsibility of the state towards its citizens and to provide citizens with a platform for demanding accountability.”²¹⁴ Regarding the current status quo, this is problematic since technically Israeli-Arabs are not citizens but are residents. Furthermore, Israel is neither the sovereign of the West Bank or the Gaza Strip. However, there is little doubt that Israeli attitudes

²¹⁰ Diab, K., Interview, 11/8/2015

²¹¹ Barnett, M., *Focus on Palestinian Rights, not Palestinian State*, <http://www.brookings.edu/blogs/markaz/posts/2015/10/02-palestinian-rights-not-state-barnett>, October 2nd, 2015

²¹² Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 10

²¹³ Unamed Palestinian., PIJ., *Young Palestinians Voices from East Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture, Vol. 21, No. 2, 2015

²¹⁴ Ibid, pp. 9

influence Israeli governmental policy. And as such, these policies significantly compromise the basic human rights of Palestinians within Israel, the West Bank and the Gaza Strip.

In Israel itself, Arab residents are subject to draconian policies based on racial clarification to which Jewish citizens are not. This flagrantly contradicts Article 1 of the Universal Declaration of Human Rights (UDHR): “All human beings are born free and equal in dignity and rights.”²¹⁵ The West Bank has been sliced apart by a road system which restricts access to those of Arab origin to work, strangling the Palestinian economy and creating a whole generation of young Palestinians who have little prospect for work and interaction with their Jewish peers in Israel. The implications suffuse societal relationships horizontally, further saturating an already unhealthy environment where both Israeli and Palestinian youths are unable to recall

“times when the relations were better, where there were fewer checkpoints, when there was trust, when there was a vibe for peace, when there were talks for peace and when there was hope.”²¹⁶

This is only set to deepen the sense of alienation between the very generations who may be expected to engender a climate of peace. Furthermore, since 2004, the International Court of Justice (ICJ) has deemed the separation barrier surrounding the territory as illegal.²¹⁷ Moreover, as the occupying force, Israel is prohibited from exploiting the natural resources of the occupied territories for its own economic benefit. Such actions violate several tenets of international humanitarian law, including “Articles 49 and 53 of the Fourth Geneva Convention and Articles 43, 46, 53, and 55 of the Hague Regulations.”²¹⁸

Thus, on the vertical axis of the relational dimension, human rights agendas not only pressure the state to abide by its legal obligations in accordance with international law, but in terms of conflict transformation, it “implies the need to address structural concerns that impact the relationship.”²¹⁹ The aim is to use the equality based rhetoric of a human rights discourse to overcome the dehumanising attitudes within both societies, and reverse the processes which

²¹⁵ UN., *Universal Declaration of Human Rights*,

http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf, 1948

²¹⁶ Finkel, L., *Roundtable Discussion: The Younger Generation*, Palestine-Israel Journal (PIJ), Vol. 18, No. 4, 2013, pp. 89

²¹⁷ ICJ., *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>, July 9th, 2004

²¹⁸ Kamhawi-Bitar, N., *Israel's Obligations Concerning Natural Resources According to International Law*, Palestine-Israel Journal (PIJ), Vol. 19, No. 4 & Vol. 20, No. 1, 2014, pp. 16

²¹⁹ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 9

legitimate violent or restrictive behaviour by the state towards the Palestinians and which vice versa justify violence against Israel.²²⁰ In maximising mutual understanding by minimizing poor communicative channels, it is hoped the relational fears and goals of the people involved are made explicit.²²¹ Parlevliet's contention that human rights provide an avenue to analyse the connection between horizontal and vertical relationships within the context of the conflict therefore cohesively interlinks with Lederach's third mode, which aims to uncover the structural components prolonging conflict.

²²⁰ Darwesh, M., *Human Rights and the Imbalance of Power: The Palestinian-Israeli Conflict*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_darweish_comm.pdf, 2010, pp. 87

²²¹ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

Chapter 4: Structural Mode

Lederach's structural mode emphasises the necessity to address the underlining causes of the conflict. It stresses the need to analyse how the conflict sustains and changes social structures, organisations, and institutions.²²² Lederach splits this mode into two levels: descriptive and prescriptive. The descriptive level refers to the social conditions that harbour the potential for violent outbursts and how these affect structural change within the existing social, political and economic institutions. At the prescriptive level, conflict transformation designates areas for potential cooperation. For the purposes of this chapter, the following analysis will operate between Lederach's levels. The chapter, and the thesis in general, does not attempt to prescribe any solutions to the fundamental aspects of the conflict, but it does explain why Palestinians on the ground are beginning to express their civil and human rights, rather than their nationalistic ambitions. Functioning between the two levels, it intends to highlight the structural factors effecting this change in discourse, but it does not elucidate on whether or in what regards this tactic can achieve its objectives; it simply recognises the tactic is occurring and how it connects a host normative issues at the different levels.

Up until this point, a number of structural aspects of the conflict have already been referred to and categorised under a separate mode. The legislation which defines Israeli-Arab as residents not citizens, for instance, is a textbook example of how the second class status of Palestinians within Israel's legal borders are inscribed into the country's legal apparatus. This legislation represents only a singular policy in a catalogue of over 50 Israeli laws that purposefully discriminate Israeli-Arabs.²²³ The most concise way to deal with the structural dimensions of the conflict is to first divide the Palestinians into four separate categories: Israel itself, the West Bank, the Gaza Strip and the diaspora. In the overall scheme of the chapter, the final category is not analysed in any depth, since the diaspora is dispersed throughout the Middle East and the wider international community, and it is, therefore, beyond the means of this thesis to comment on Palestinian communities in each of these countries. Nonetheless, as will be demonstrated, the structural conditions imposed on the Palestinian experience in each of the other three territories vary in degrees of severity. The chapter then concludes by referring to Parlevliet's human rights as structures dimension to complete the parallel with Lederach's structural mode.

²²² Ibid

²²³ White, B., *Israeli Apartheid: A Beginner's Guide*, Pluto Press, London, 2009, pp. 59

4.1 Israeli-Arabs

Arab discrimination is encoded into the subtext of Israel's legal apparatus. To date, Israel has passed thirty laws expropriating and transferring land from Palestinian to Jewish state ownership.²²⁴ The Absentee Property Law has proven to be the most effective in this endeavour. In 1950, the Knesset passed laws which set the boundaries of exclusion and inclusion. Those who fled the violence in the 1948 war (today's Palestinian refugees) were classified as 'absentees' and subsequently had their property rights annulled. This statute provided the main legal instrument to repossess Palestinian property for Jewish settlement. The legislation's terminology makes it transparent that its intended purpose was to uproot Arabs since 'absentee' applied only to nationals of Palestine, Egypt, Lebanon, Syria, Trans-Jordan, Iraq, and Yemen.²²⁵ In a bizarre form of Orwellian doublespeak, according to the definition outlined in the legislation, a person may be defined as 'absent' even while present within the state of Israel, creating a sub-class of 'present absentees.' Thus, whilst the law

"applied in absentia to those Palestinian refugees outside Jewish-occupied Palestine, it also provided for the legal dispossession of those Palestinian citizens of Israel who had never left the newly created state or those Palestinians who were reabsorbed into Israel as a result of the armistice agreements of 1949."²²⁶

The principle function underlining this definition was to legitimize the transfer of Arab land and property into Jewish hands to solidify Israeli control.²²⁷ In the same year, the Knesset passed the Law of Return, which enabled any Jew to be granted citizenship under the *Right of Aliya*.²²⁸ These two laws combined institutionalised an overt form of hypocrisy, whereby Palestinian refugees within Israel and the wider diaspora are unable to return and reclaim their property, whilst a Jew who has never set foot in the country can theoretically gain citizenship merely on the premise of their ethnicity. Miko Peled, renowned activist and son of a former Israeli army general, encapsulates the implicit double standards within these two sets of legislation:

²²⁴ Ibid, pp. 49

²²⁵ Article 1., *Absentee's Property Law, 5710-1950*, <http://www.adalah.org/uploads/oldfiles/Public/files/Discriminatory-Laws-Database/English/04-Absentees-Property-Law-1950.pdf>, 1950

²²⁶ Masalha, N., *'Present Absentees and Indigenous Resistance*, in Masalha, N., (ed.), *Catastrophe Remembered: Palestine, Israel and the Internal Refugees*, London, Zed Books, 2005, pp. 34

²²⁷ Smith, D. C., *Palestine and the Arab-Israel Conflict*, Boston, Bedford/St. Martins, 1996, pp. 221

²²⁸ Article 1., *Law of Return 5710-1950*, <http://www.mfa.gov.il/mfa/mfa-archive/1950-1959/pages/law%20of%20return%205710-1950.aspx>, 1950

"If we speak of a right of return for one nation, you would expect, if we accept it as a principle...that we would expect it in general. Yet when people talk about the right of return of Palestinians to their homeland, suddenly a red line comes up and everybody says we can't talk about the right of return for the Palestinians...The right of return of Palestinians is not acceptable."²²⁹

Prominent NGO leaders inside Israel echo these sentiments:

"Logically, you could say, if a right of return for refugees is returned after 2000 years, when there is not a single Jew in the world that can point out a particular place in this country and say with confidence, this is the particular hill or valley or whatever, where my ancestors lived two thousand years ago. There is no one with that extensive genealogy. The most they can say is I am a Jew and this was the Jewish land 2000 years ago. While Palestinians of course, there are still people living who remember where they were before 1948. You have quite a lot of younger Palestinians who have never been inside Israel but can draw you an exact map of where their grandparents lived...The Palestinian right of return is a very justified demand."²³⁰

The Absentee and Right of Return legislations are representative of the Israeli state's land battle with the Palestinians pre-1948. Collectively, this aimed to gather the world Jewry in Israel (kibbutz galuyut); acquire, takeover or conquer the land (kibbush haadama); consolidate a secure demographic majority; disperse Jews throughout the country for settlement (pezur ochlosiya); and Judaize the Galilee (yehud hagalil).²³¹ Thus, setting the legal parameters of who was and who was not a citizen. After the war in 1948, the Israeli state institutionalised the core objectives of the Zionist project at the expense of the Palestinians.

Israel's unquenchable thirst for territory, and its persistent policy of land acquisition has severely curtailed the natural development of the Palestinian localities which remained within the state after 48. In the aftermath of the war, cease-fire agreements with the surrounding Arab states left Israel in control of over 5 million *dunnums* of Palestinian land. The vast majority of this land was expropriated using the Absentee Property Law, with 300,000 *dunnums* being confiscated from the new internally displaced refugees inside Israel.²³² Those who remained within the newly formed state have faced an uphill task in formulating a national identity ever since. Another military defeat to Israel in 1967 and the subsequent implementation of martial

²²⁹ Peled, M., *An Honest Israeli Jew Tells the Truth about Israel*, Muslims and the World, <https://www.youtube.com/watch?v=etXAm-OylQQ>, December 2nd, 2012

²³⁰ Keller, A., Interview, 2/9/15

²³¹ Masalha, N., *Present Absentees and Indigenous Resistance*, in Masalha, N (ed)., *Catastrophe Remembered: Palestine, Israel and the Internal Refugees*, London, Zed Books, 2005, pp. 24

²³² Ibid

law further inhibited the Arab community's natural growth as travel permits, curfews, and political arrests prevented the formation of an independent political consciousness.²³³

The evident discrimination embedded within the language and application of statutes like the Absentee Property Law only reinforce the similarities between the Israel and Apartheid. However, the legal infrastructure underpinning Israel's brand of Apartheid is far more sophisticated than its South African predecessor.²³⁴ If Israeli Apartheid had been as overt in its legal formulation as it was in South Africa, the country would have been denounced as a pariah state long before the recent deliberations.²³⁵ The key to comprehending this critical difference is understanding how Israel's national institutions function in relation to land ownership.

White argues there is a two-tier structure preserving the ambiguity of Israeli Apartheid legislation. The first tier is comprised of the Zionist institutions such as the Jewish National Fund (JNF), the World Zionist Organisation (WZO) and the Jewish Agency (JA), which exist for the benefit of Jews. The second tier is the means by which these institutions are integrated into Israel's legal infrastructure to oversee the governing of land.²³⁶ Interaction between the two levels enables the organisations above to acquire governmental responsibilities normally reserved for the state. Outsourcing state duties to private organisations maintains the international legitimacy of the state, whilst it impudently continues to expropriate Palestinian land.

The JNF presides over 13% of Israeli territory and proudly claims to be the "caretaker of the land of Israel."²³⁷ More than a significant landowner, the institution performs tasks normally considered governmental duties, such as aiding the state manage over 93% of its land.²³⁸ The Israeli Land Authority (ILA) oversees the management of this land with the JNF, playing a significant role in how it operates. JNF representatives occupy 6 of the 13 seats comprising the ILA's council. In recent years, its influence on ILA policy was most noticeable in the case of al-Arakib.

²³³ White, B., *Israeli Apartheid: A Beginner's Guide*, Pluto Press, London, 2009, pp. 55

²³⁴ Ibid, pp. 50

²³⁵ Caspi, H., *Should the International Community Turn Israel to a Pariah State?*, <http://europesworld.org/2015/04/22/international-community-turn-israel-pariah-state/#.Vysm0oQrLIU>, April 25th, 2015

²³⁶ See 232, pp. 51

²³⁷ JNF., Mission Statement, https://secure2.convio.net/jnf/site/SPageServer/?jsessionid=798B0F92C3FD7E5AD8E5634C04710247.app234a?pagename=Essence_of_Life, accessed 3/2/2016

²³⁸ See 232, pp. 52

The Bedouin village of al-Arakib is located in the south of Israel, just a few miles north of Beersheba, the biggest city in the Negev desert. Reports vary in how many times the village has been destroyed by the state. In 2014, Haaretz claimed it had been destroyed 50 times over a decade and half,²³⁹ whilst in late 2015, the Electronic Intifada went even further, claiming the Israeli state had demolished the village no fewer than 90 times over the course of five years.²⁴⁰ Regardless of how many times it has actually been demolished, the village is a constant target for the JNF as the organisation, in coordination with the ILA, has been planting trees in the area for a number of years as part of a reforestation initiative. Residents of the village argue the programme precipitates the destruction of their homes and livelihood.²⁴¹ The ILA on the other hand, under the auspices of the JNF, accuse residents of trespassing on government land. Villagers protesting ownership are repeatedly dismissed. Official receipts authenticating the transactions transferring land from Ottoman rule to Arab ownership in 1906 are deemed invalid.²⁴² Citing its own legal apparatus, Israel considers this documentation illicit, since the land was appropriated under the Absentee Property Law in 1954. The semi-governmental nature of the JNF thus empowers it to legally prevent Palestinians from habituating the site.

The same structural apparatus used to dispossess Arabs and resettle Jews is easily observed in East Jerusalem, where expropriation has been the official policy since full annexation of the city after the Six Day war. Tens of thousands of *dunams* have been confiscated under a process called “expropriation by the Ministry of Finance.”²⁴³ Figures from 2009 estimated 50,000 housing units had been constructed on these lands, with municipal housing institutions aiding the establishment of new neighbourhoods beyond the Green Line for the settlement of 190,000 Jewish residents. The political establishment has always complimented this process, with it ironically intensifying since Oslo, which was supposed to set the parameters for East Jerusalem forming the capital of a viable and independent Palestinian state. NGO’s inside Israel argue this has thwarted any possibility of dividing the city as part of a future peace agreement since the “main settlement momentum in East Jerusalem has been aided, directly and indirectly, by

²³⁹ Seidler, S., *Israel Begins Razing Bedouin Village of Al-Arakib – for the 50th Time*, <http://www.haaretz.com/israel-news/.premium-1.598414>, 12th June, 2014

²⁴⁰ Boarini, S., *Village Refuses to be Wiped off the Map*, <https://electronicintifada.net/content/village-refuses-be-wiped-map/14993>, 11th November, 2015

²⁴¹ Jeffay, N., *A JNF Drive to Make the Desert Bloom Means the Destruction for a Bedouin Village*, <http://forward.com/news/135320/a-jnf-drive-to-make-the-desert-bloom-means-destruc/>, February 9th, 2011

²⁴² Zonszein, M., *Jewish National Fund Resumes Reforestation Project in al-Arakib*, <http://972mag.com/jewish-national-fund-resumes-forestation-project-in-al-arakib/44850/>, 7th May, 2012

²⁴³ Rapoport, M., *Shady Dealings in Silwan*, Ir Amin, <http://www.ir-amim.org.il/sites/default/files/Silwanreporteng.pdf>, May 2009, pp. 9

senior government officials in the various Israeli administrations.”²⁴⁴ Similar to the arguments made against Palestinian residents in the Negev, Israel classifies thousands of structures throughout East Jerusalem as illegal if they were built without the relevant permits. Lack of town planning schemes and the countless bureaucratic hoops placed upon Palestinians in order to attain building permits, in conjunction with the natural population growth of the Arab community in this area, mean many are unable to abide by this law. The personal implications of these discriminatory structures has already been highlighted in chapter two, exemplifying the interconnectivity between the normative issues at the various levels outlined in the introduction.

Palestinian properties in East Jerusalem were also appropriated using non-profit organisations to serve government objectives. Elad, a non-profit organisation established in 1986, and dedicated to raising awareness of the Jewish connection to the City of David, operates as a government agency in East Jerusalem. The organisation paid nominal fees to a host of ministerial companies for properties expropriated from Palestinian residents under the Absentee Property Law within the area.²⁴⁵ According to the Absentee Property Law, anyone proven to be absent from their property in what was to become the state of Israel, between the effective date in May or June 1948 could be liable for repossession. Anyone who fled their property during this brief time period and returned could still have their property classified as absent, and be subject to eviction.

Once again, the JNF played a significant role in this process, as it reached an unwritten agreement with David Be’eri, former deputy commander of the Duvdevan Special Forces Unit, and Hermanuta, a subsidiary branch of the JNF, to transfer Palestinian property in Silwan to Jewish families. Be’eri identified property occupied by Palestinian tenants, which was owned by Jewish families in the early part of the 20th century. The JNF would then act to evict these Arab tenants, and Elad would be able to rent or lease the exact same properties for an unlimited period of time. Furthermore, the Custodian of Absentee Property can declare properties as absent on the false accounts of settler organisations, which would then be transferred to the ILA and then onto a Housing ministry to be exchanged with Elad for well under the market value.²⁴⁶ Israel’s first prime minister encapsulated the dual purpose of these Zionist institutions

²⁴⁴ Ibid

²⁴⁵ Ibid, pp. 11

²⁴⁶ Ibid, pp. 11-12

when he praised their ability “to achieve what is beyond the power and competence of the state.”²⁴⁷ Essentially, to acquire and redistribute land solely for the purpose Jewish settlement.

Israel’s exclusionary land regime is a contemporary continuation of the Zionist political objective to Judaize Palestine. Its current policy of discrimination towards Arab citizens is draconian, yet simultaneously reminiscent of Jabontinsky’s call to “proceed and develop only under the protection of a power that is independent of the native population – behind an iron wall.”²⁴⁸ This iron wall is buttressed by three pillars: physical dispossession, the amalgamation of non-profit organisations and governmental institutions in administering ownership of public land, and an extremely complex bureaucratic system to oversee land use and development regulations.²⁴⁹ However, despite the blatant discrimination embedded within the Israeli legal and institutional apparatus, Israeli-Arabs are well aware they remain better off than their counterparts in the occupied territories, as evidenced by the fact more than half would prefer to retain their Israeli residency than become citizens of a prospective Palestinian state.²⁵⁰ This is in complete contrast to the West Bank, where two sets of people answer to two sets of laws and the full extent of the Israeli apartheid machine is palpable.

4. 2 The West Bank- Israeli Apartheid?

Asked whether accusations Israel was an apartheid state were justified, former official of the British Council to Israel, Robin Twite, considered the allegations over exaggerated. Referring to the corporeal aspects of petty apartheid, Twite argued within Israel’s 67 borders, people of any ethnicity are able to use the country’s exceptional transport networks. However, he also conceded the West Bank presently resembled “a no man’s land; a kind of Wild West.”²⁵¹ This charge has recently been echoed by U.S. ambassador to Israel, Daniel Shapiro. Speaking at the 9th INSS international convention in Tel Aviv, Shapiro stated:

²⁴⁷ Ben-Gurion, D., as quoted in White, B., *Israeli Apartheid: A Beginner’s Guide*, Pluto Press, London, 2009, pp. 52

²⁴⁸ Jabontinsky, Z., *The Iron Wall*, <https://www.jewishvirtuallibrary.org/jsourc/Zionism/ironwall.html>, 4th November, 1923

²⁴⁹ White, B., *Israeli Apartheid: A Beginner’s Guide*, Pluto Press, London, 2009, pp. 62

²⁵⁰ Times of Israel., *Half of Jerusalem Arabs want to be Israelis*, <http://www.timesofisrael.com/half-of-jerusalem-arabs-want-to-be-israelis-poll/>, April 19th, 2015

²⁵¹ Twite, R., Interview, 3/8/15

“Too many attacks on Palestinians lack a vigorous investigation or response by Israeli authorities; too much vigilantism goes unchecked; and at times there seem to be two standards of adherence to the rule of law: one for Israelis and another for Palestinians.”²⁵²

Although the diplomat refrained from brandishing the current state of affairs in the West Bank as an outright Apartheid, the very hint of a dual legal system, from an official envoy of Israel’s staunchest ally, is testament to how serious the charge is. Shapiro’s reference to attacks on Palestinians in the quotation above is a reference to the apparent mishandling, and purposeful incompetence, on part of the Israeli authorities to fully investigate those responsible for firebombing the Dawabsheh family home in the Palestinian village of Duma; an incident which resulted in the death of an eighteen month old infant. Despite the attack being condemned, uncharacteristically as a form of Jewish terrorism by Prime Minister Netanyahu, the incident does not represent a break from the norm. Rather, it forms part of a larger, uglier picture, whereby routine, radical settler violence against Palestinians is habituated.²⁵³

“It’s a further deterioration of a terror which is not the burning of children alive but of uprooting olive trees and throwing firebombs, that has happened before without having such disastrous results.”²⁵⁴

The bigger picture is “the creation and development of an official and institutionalized legal regime of two separate legal systems on an ethnic-national basis.”²⁵⁵ Its roots are traceable to when Israel occupied the territory in the wake of the 1967 war. Military rule was established when the commander at the time declared himself sovereign, granting himself governance and legislative powers. Theoretically, all subjects within the territory are answerable to the laws legislated under the military’s authority, including Israelis living in and visiting the area. Israeli lawmakers, however, created a de facto dual system by extending multiple elements of Israeli law, including criminal, tax and health insurance to Jewish nationals residing in the West Bank

²⁵² Shapiro, D., *January 18, 2016 - Ambassador Daniel B. Shapiro’s Remarks at the Institute for National Security Studies 9th International Conference*, <http://israel.usembassy.gov/amb01182016.html>, accessed 5/2/16

²⁵³ Byman, D., & Sachs, N., *The Rise of Settler Terrorism*, *Foreign Affairs*, September/October Issue, 2012, pp. 73

²⁵⁴ Rabbi Melchior., *The Possibilities for Religious Peace in the Holy Land*, *Palestine-Israel Journal (PIJ)*, Vol. 20 No. 4 & Vol 21, No. 1, 2015

²⁵⁵ Association for Civil Rights in Israel (ACRI)., *One Rule, Two Legal Systems: Israel’s Regime of Laws in the West Bank*, <http://www.acri.org.il/en/wp-content/uploads/2015/02/Two-Systems-of-Law-English-FINAL.pdf>, October 2014, pp. 5

on an extra-terrestrial basis. In tandem with a host of other Israeli legislative articles, these laws were applied to Jewish communities only, creating a legal schism based along ethnic lines.

According to Article 2 of the UN's International Convention on the Suppression and Punishment of the Crime of Apartheid, ratified by United Nations General Assembly, resolution 3068 (XXVIII) of 30 November 1973, the crime of apartheid constitutes "similar policies and practices of racial segregation and discrimination as practised in southern Africa."²⁵⁶ In relation to the West Bank specifically, the accusation Israel is committing apartheid is beyond doubt considering the segregating of the legal system governing the territory creates two distinct communities: The Palestinian villages and cities "subject to Israeli military orders, and Jewish local and regional councils, which are subject to Israeli law and enjoy the benefits and budgets granted by Israeli legislation."²⁵⁷

Contrary to their perceived purpose, the Oslo Accords have provided an internationally supported framework to exacerbate this process of segregation through physical displacement. The lasting consequences of this is not only the legitimate division of Jews and Arabs but the fragmenting of the Palestinian people into isolated enclaves. Article XI of the Interim Agreement on the West Bank and Gaza Strip divided the territory of the West Bank into three legislative areas: A, B, and C. The Palestinian council was assigned full legislative and governance control of area A. Both Israel and the Council were to share control of area B. Finally, Israel was assigned full administrative control of area C, which was supposed to be gradually "transferred to Palestinian jurisdiction in accordance with this Agreement."²⁵⁸ Area A is approximately 18% of the West Bank, area B 22% and area C 60%. Thus, Israel still maintains control over the vast majority of the West Bank, with the PA in full administrative control of only 18%, which approximately equates to a mere 3.9% of historic Palestine.²⁵⁹

²⁵⁶ UN., Resolution 3068 (xxviii), *International Convention on the Suppression and Punishment of the Crime of Apartheid*, , <https://treaties.un.org/doc/Publication/UNTS/Volume%201015/volume-1015-I-14861-English.pdf>, November 30, 1972

²⁵⁷ Association for Civil Rights in Israel (ACRI)., *One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank*, <http://www.acri.org.il/en/wp-content/uploads/2015/02/Two-Systems-of-Law-English-FINAL.pdf>, October 2014, pp. 6

²⁵⁸ Article XI 3c., *Israeli and Palestinian Authority: Interim Agreement on the West Bank and Gaza Strip (September 28, 1995)*, in Laqueur, W., & Rubin, B., *The Israel-Arab Reader*, Penguin Co., London, 2008

²⁵⁹ This calculation is based upon the land mass figures quoted in Suleiman, C., *West Bank and Gaza Strip, & Palestine*, in Stearns, P (ed)., *Encyclopedia of the Modern World*, Oxford, Oxford University Press, 2008, <http://www.oxfordreference.com/view/10.1093/acref/9780195176322.001.0001/acref-9780195176322>, accessed 5/2/15.

Area C incorporates the vast majority of Israel's illegal settlements, which are scattered throughout the West Bank. Alongside the forbidden roads regime, Israel's settlement enterprise dissects the Palestinian territory into a patchwork collection of fractured semi-autonomous islands, undermining the possibility of any territorial contiguity. Palestinian controlled areas such as Bethlehem, Nablus, Jericho, Jenin and Hebron are cut off from one another, seriously restricting people's ability to travel between these areas. Moreover, for the 150,000 Palestinians residing throughout area C, Israel's exclusive control over planning and construction means the PA is powerless in providing adequate protection, rendering them subject to the purposefully discriminating Israeli legal code.

The Palestinians within area C are outnumbered by more than two to one as 341,000 Israeli settlers also reside in the area in violation of international law. 70% of area C is off limits due to the Israeli settlement boundaries delineated by the regional councils. Of the remaining 30%, only 1% has been set aside for Palestinian development.²⁶⁰ Within the remaining 29% accessible to Palestinians, construction work is heavily restricted. In 2013, 565 Palestinian structures, of which 208 were residential, were demolished on the grounds they lacked Israeli permits. 805 people in total were displaced as result of these demolitions, almost half of them children. In addition, 38 communities reside in a number of officially designated firing zones used for military exercises, putting over 6,000 Palestinians in serious danger.²⁶¹ Thus, notwithstanding the Oslo Accords stating area C was to be eventually transferred to Palestinian control, "Israel's policy...is anchored in a perception of the area as meant...to serve Israel's own needs."²⁶²

The most recent and internationally covered example of Israel's draconian planning and building policies in area C is the village of Susiya. Located in the South Hebron Hills, the ramshackle village, home to 55 nuclear families and consisting of little more than a few tents and animal pens, was subject to major international media attention in the summer of 2015, as Israeli authorities deemed it illegal and moved to demolish it. Susiya presents a textbook example of how Israel's legal system and planning policy are combined to eradicate Palestinian villages and intimidate people to move away from significant religious sites and illegal

²⁶⁰ UN., *Area C of the West Bank: Key Humanitarian Concerns*,
https://www.ochaopt.org/documents/ocha_opt_area_c_factsheet_august_2014_english.pdf, August, 2014

²⁶¹ Ibid

²⁶² B'Tselem., *Acting the Landlord: Israel's Policy in Area C, the West Bank*,
http://www.btselem.org/download/201306_area_c_report_eng.pdf, June 2013, pp. 11

settlements. A 1982 internal opinion by the head of Civil Division in the State Attorney's Office officially recognised Arab ownership of the 3,000 dunams of land the village was built upon. Just 4 years later, IDF soldiers appropriated the land and expelled its Arab residents for the first time, declaring the village an archaeological site due its construction on top of an ancient synagogue. Expelled from the village, the inhabitants moved to the nearby caves and set up tents elsewhere close to the original site until the military forced them to move again, in 1991, for no discernible reason. Having their land confiscated twice, the villagers relocated further away from the original site of the village where the Israeli authorities attempted to expel them a third time, in 2001, as a form of collective punishment for the murder of a Jewish settler by Palestinians who were not residents of the village. Military personnel again demolished their makeshift homes, forcing them to leave until an Israeli Supreme Court ruling ordered the residents be allowed to return.

To date, the Civil Administration (CA) which oversees planning and construction in Area C, blatantly ignores its duties to the local Arab population as it has allocated hundreds of thousands of dunams to Israeli settlements, and a paltry 18,000 to Palestinian developments. The CA's stranglehold on construction rights and monopoly on planning permits mean many Palestinians resort to building illegally. When they do, the CA deems the structures illegal in accordance with their planning laws and issues a demolition permit.²⁶³ Currently, all Susiya residents are at imminent risk of being forcibly displaced for a third time, since every structure in the village has been served a demolition order, all of which have no strict implementation date.²⁶⁴

At the time of writing, there is no evidence or reports of the IDF moving to completely expel the villagers. However, two tents in Susiya have been demolished three times since January 20th, 2016.²⁶⁵ In addition, UN human rights commissioners on the ground, such as Hamed Qawasmeh, argue since the international success of Susiya, Israel and the IDF have reacted by stepping up the frequency and severity of house demolitions in other parts of area C.

"Susiya has become a symbol of defiance. To the point that the Israeli army was prevented from carrying out this demolition because of the American position or whatever. That actually has caused

²⁶³ B'Tselem., *A Chronicle of Dispossession: Facts About Susiya*,
http://www.btselem.org/south_hebron_hills/201507_facts_on_susiya, 29th July, 2015

²⁶⁴ UN., *Susiya: A Community at Imminent Risk of Forced Displacement*,
https://www.ochaopt.org/documents/ocha_opt_susiya_factsheet_may_2015_english.pdf, June, 2015

²⁶⁵ Qawasmeh, H., Internet Interview, 8/2/16

some amount of frustration among some ranks of the IDF to the point where they say, 'Ok. We cannot demolish Susiya, so let's go somewhere else.' ... If you look at a week before August until now, you will see a sharp increase in demolitions, including in Hebron. In one day they demolished 18 structures. They are taking out their frustrations in some sort of defiance."²⁶⁶

More worryingly, from a humanitarian perspective, is the perception that Israel's demolition policy in area C is beginning to represent a covert form of ethnic cleaning. Careful not to implicate the United Nations Human Rights Council in his personal assessment of the situation on the ground, Qawasmeh fears Israel's planning and construction laws in area C are being exploited to force its Palestinian citizens into areas A and B where the PA have full and joint control respectively.

"I would say Israeli policy in Area C is aimed to pressure as much as possible, through administrative means, all the Palestinians in that area to move to some other areas, preferably Areas A and B. That would then leave much more space for the Israelis for future annexation of Area C...Area C is about 60% of the West Bank, where most of the natural resources are located like water and aquifers. All of the settlements are located in Area C. So through the issue of masterplans and the issue of building permits, measures which limit any basic infrastructure to discourage Palestinians to stay there. A lot of these measures are designed so Palestinians will find life so horrible in that area that they will pack up and leave. This makes it easier for the Israelis to declare that they can take the land over in order for settlement expansion."²⁶⁷

Although Qawasmeh's theory is based purely on his own observations and conjectures, from the situation on the ground over the last twelve years, statistical data unequivocally shows the rate of demolition orders has sky rocketed since the Oslo agreements. In 1992, the year before the famous Rabin-Arafat handshake on the White House lawn, a total of 59 demolish orders were issued in the areas which today constitute area C. Only two years later, the year the interim agreement was actually signed, this number rose 300% to 211 orders, and increased once again in 1996 to 391. Over the 5 years when area C was supposedly being prepped for transfer into PA control, Israel issued 2197 demolition orders, at an average of 366 per year.²⁶⁸ At precisely the time Israel was supposed to be preparing to transfer control over to the PA, it was, in fact, engaged in its most vigorous assault on Palestinian property, using the guise of the Oslo

²⁶⁶ Ibid

²⁶⁷ Ibid

²⁶⁸ OCHA., *Israeli Demolition Orders Against Palestinian Structures in Area C, 1988-2014*, <http://www.ochaopt.org/demolitions/index.aspx?id=311648>, accessed (8/2/16)

Accords to justify its agenda. Since the expiration date on the agreements passed in 2000, this pattern has for the most part increased, reaching a high of 1,263 in 2013.²⁶⁹

Exasperating the situation is the fact some of the outstanding demolition orders affect Palestinians residing in areas A and B. Given the plethora of mini Palestinian statelets dispersed across the West Bank are completely surrounded by Israeli controlled area C, the borders for the separate administrative areas operate on fine margins, which fail to correlate with the natural expansion of both populations in the territory. Approximately 60% of outstanding demolition orders issued against structures in area C effect families in area A and B. This is a direct consequence of the Oslo process, since only areas already built-up and heavily populated were designated as areas A and B, whilst the open spaces available for future developments, such as the entire Jordan Valley were incorporated into area C.²⁷⁰ What the agreements effectively did in this sense was to set the limits for possible Palestinian development, as the already densely populated areas were given little possibility for natural economic and population expansion. Considered alongside Qawasmeh's suspicions, it seems Palestinians throughout the West Bank are being herded out of area C into strictly demarcated zones reminiscent of Apartheid South Africa's Bantustan strategy.

The Bantustans were a grand Apartheid initiative that set aside a collection of autonomous territories for black inhabitants across South Africa. In total, ten were established as part of the government's policy to separate blacks, both politically and territorially, from whites. Looking at the division of the West Bank into sporadic enclaves labelled A, B, and C, it is easy to understand how the analogy arose, for when paralleled to the map of the South African Bantustans the similarities are striking (Fig 2 & 3).²⁷¹

²⁶⁹ Ibid

²⁷⁰ OCHA., *Under Threat: Demolition Orders in Area C of the West Bank*, https://www.ochaopt.org/demolitionos/demolition_orders_in_area_c_of_the_west_bank_en.pdf, September 2015, pp. 7



(Fig. 2, South African Bantustan Map, Encyclopaedia Britannica, <http://global.britannica.com/topic/Bantustan>)

(Figure 3, Area C West Bank Map, OCHA,
https://www.ochaopt.org/documents/ocha_opt_area_c_map_2011_02_22.pdf)



Comparing the two maps, it is easily noticeable how the Bantustans and the Palestinian areas of autonomy are both completely enmeshed within the larger landscape of their respective adversaries. Just as the Bantustans were completely enmeshed and surrounded by white controlled land, so Areas A and B are totally swamped by Israeli-controlled Area C. Both sets of enclaves are also completely cut off from one another, preventing any possibility of territorial continuity, which is a prerequisite to forming a mainland state. More importantly, it is the legal structure of the Oslo accords which most resembles the Bantustan system. For although the agreements formally devolved Israeli control, granting political autonomy to those in these enclaves, the true reins of power remain beyond the reach of the Palestinian leadership.

Fasakh specifies three legal consequences the Oslo Accords share with the South African Bantustans.²⁷² First, it failed to guarantee Israel's complete withdrawal from the occupied territories. The native population are still subject to the Knesset's overriding authority, like the Bantustans which did not remove the omniscient presence of South Africa's National Party (NP). The agreements established the Palestinian National Council (PNC) and a Presidency to be the democratic representatives of the Palestinian people, but their jurisdiction was not limited to the national electorate. "Rather it remained dependent on the Israeli military authority...together with the Israeli Civil Administration, which were not dismantled."²⁷³ Transferring governmental oversight to the fields of education, culture, health, social welfare, taxation and tourism, the Israeli military effectively only outsourced the trimmings of political power to the PNC.²⁷⁴ Importantly, they were not granted full territorial jurisdiction, but only delegated civilian jurisdiction over 93% of the Palestinian population. The remaining 7% remained subject to Israeli military law since they resided in Israeli-controlled Area C. Nor were they bequeathed any sovereign identity, with core issues concerning borders, Israeli settlements, and Jerusalem set aside for a later date.²⁷⁵

Second, Oslo paid no credence whatsoever to the superiority of international law. Neither UN General Assembly Resolution (UNGAR) 181, which provides the main source of international legitimacy for the formation of an Arab state in historic Palestine, nor any UN Security Council resolutions (UNSCR) asserting the right of the Palestinian people to self-determination were

²⁷² Farsakh, L., *Independence, Cantons or Bantustans: Wither the Palestinian State?*, Middle East Journal, Vol. 59, No. 2, Spring 2005, pp. 240

²⁷³ Ibid

²⁷⁴ Article VI (2)1., *Declaration of Principles on Interim Self-Government Arrangements (September 13, 1993)*, in Laqueur, W., & Rubin, B., *The Israel-Arab Reader*, Penguin Books, London, 1969, pp. 423

²⁷⁵ Article IV1., Ibid

referenced in any of the agreements. Only UNSCRs 242, calling for the withdrawal of Israeli armed forces from territories occupied in 1967, and 338 affirming the former, are fleetingly referred to as forming the basis of a possible final settlement.²⁷⁶ The refugee dilemma is given minimal attention, recognised only as requiring a humanitarian situation, despite the international community reaffirming the Palestinian right of return in accordance with UNGAR 194 (III) over 135 times.²⁷⁷

Third, the agreements dictated close cooperation between Israeli and Palestinian authorities in transferring security responsibilities, mirroring the transfer of authority to the Bantustans from white South Africans. Joint Israeli-Palestinian committees were formed to coordinate over security concerns. Finkelstein labels these joint committees as mere PA protection of Israeli interests.²⁷⁸ On paper they appear a logical and sensible idea, but in practice, they have been a major source of Palestinian embarrassment and frustration. Israel continues to hold the upper hand in security matters, much like the security dynamic between the Bantustans and the apartheid regime. For instance, Prof. Ahmed Hamad of Birzeit University recanted the following story to illustrate how this security cooperation completely undermines any sense of Palestinian sovereignty:

“This time last year during the Gaza war, in Ramallah, I remember I went to withdraw money early in the morning from a bank with only one ATM machine; a very crowded place. I decided to go early, around 6am before the city was busy. When I arrived in the centre of Ramallah I found something like an earthquake. A huge number of rocks spreading for kilometres. I didn’t know what happened. I didn’t imagine this was a confrontation with the Israelis. When I asked, what happened was the Israeli soldiers came in the night to arrest some young Palestinian men. And the place is just ten metres, twenty – maximum - from the headquarters of the Palestinian policemen. So the Israelis told the Palestinian policemen they are coming so hide, disappear in your headquarters. They came and tried to arrest the men while the policemen are just watching from the windows. There was a large number of Palestinian young men who come out to confront the Israelis. They started stoning the soldiers. It ended by one of the Israeli soldiers killing the men. When the Israeli soldiers left after a few hours of

²⁷⁶ UN., 1i., *UN Security Council: Resolution 242 (November 22, 1967)*, 2., *UN Security Council: Resolution 338 (October 22, 1973)*, Article I., *Declaration of Principles on Interim Self-Government Arrangements (September 13, 1993)*, in Laqueur, W., & Rubin, B., *The Israel-Arab Reader*, Penguin Books, London, 1969, pp. 116, 152, and 413

²⁷⁷ LeVine, M., *Why Palestinians have a Right to Return Home*, <http://www.aljazeera.com/indepth/opinion/2011/09/2011922135540203743.html>, 23rd September, 2011

²⁷⁸ Finkelstein, N., Roth, S., & Weiss, P., *Norman Finkelstein on Sanders, the First Intifada, BDS and Ten Years of Unemployment*, <http://mondoweiss.net/2016/04/norman-finkelstein-on-sanders-the-first-intifada-bds-and-ten-years-of-unemployment/>, April 27th, 2016

confrontations, the young men went to the Palestinian police station and started throwing stones at it. People think all the time that this is a very humiliating situation. When an Israeli soldier can come at any time, and do anything while the Palestinian security men, who are supposed to protect them are hiding.”²⁷⁹

Hamad points out the most humiliating, yet illuminating aspect of this story is the fact it occurred in Ramallah; the supposed political hub of the PA, and a city well within the confines of Area A, which according to the Oslo agreements are supposed to be under complete Palestinian control.²⁸⁰

The Bantustanization of the West Bank is a process by which the Palestinian territories are transformed into manageable population reserves. Oslo enabled Israel to construct a legal framework to limit the Palestinian access to movement and prospects for natural development, in addition to outsourcing the main duties of governance by creating a semi-autonomous representative body in the PA. As a result, the Palestinian leadership over the past twenty-three years has had to carry the burden of running a country without the resources and capabilities of a modern, self-governing state.²⁸¹ In connection to the relational aspects of the conflict discussed in the previous chapter therefore, “these ‘reserves’ have remained dependent on the Israeli economy, but at the same time unable to gain access to it, nor capable of evolving into a sovereign independent entity.”²⁸² The apparatus by which this state of affairs is sustained is indicative of a “widespread and oppressive regime that is both institutionalised and systematic.”²⁸³

4.3 Gaza the Open Air Prison

Despite the pronounced emergence of a formal Apartheid regime more severe than its South African predecessor, Palestinians in the West Bank are philosophical about their predicament. As one unnamed Palestinian from the territory described, “Gaza is even worse than what we’ve experienced.”²⁸⁴ The current humanitarian disaster unfolding in the Gaza Strip stems from Israeli Prime Minister Ariel Sharon’s decision to unilaterally disengage from the territory in

²⁷⁹ Hamad, A., Interview, 8/715

²⁸⁰ Ibid

²⁸¹ Ibid

²⁸² Farsakh, L., *Independence, Cantons or Bantustans: Wither the Palestinian State?*, Middle East Journal, Vol. 59, No. 2, Spring 2005, pp. 241-242

²⁸³ Dugard, J., & Reynolds, J., *Apartheid, International Law, and the Occupied Territory*, <http://ejil.oxfordjournals.org/content/24/3/867.full>, 2013

²⁸⁴ Unnamed Palestinian., in Silverstein, B., *Documentary on Israel/Palestine –Occupation*, <https://www.youtube.com/watch?v=YuI5GP2LJAs>, 10th September 2012

2005. The IDF's forced withdrawal of Israeli settlers, without the coordination of the PA, left a power vacuum Hamas swiftly filled, only a year later, in the legislative election of 2006. Israeli and American refusals to recognise the election of a "terrorist organisation" led the Knesset to lock the territory down and decide when, who and what entered or exited. Israel continues to hold decisive control over the Gaza Strip in five crucial ways: people, goods, airspace and territorial waters, population registry, and the tax system.²⁸⁵

4.3.1 People

Israel still maintains complete control of the border crossings despite forcefully evacuating Jewish settlers from the Gaza Strip and withdrawing its military presence over a decade ago. Gaza has 7 border crossing points in total; 6 of which are shared with Israel. Erez crossing, on the northern border of the territory is the primary crossing used for the movement of people to the West Bank or Israel. Since disengaging from the territory, Israeli forces have imposed a number of restrictions on movement at the crossing, limiting the number of people eligible to pass to only a few select categories: patients with serious diseases, Arabs with Israeli ID's, international journalists, humanitarian workers, and elderly people to visit religious sites.²⁸⁶ This leaves the vast majority of Gaza's 1.8 million residents at the mercy of the Israeli authorities if they wish to travel to hospitals, universities, holy sites, or even visit relatives in either Israel or the West Bank. One of the most gruesome consequences of this in the last Gaza offensive in 2014 was the fate of Anas Qdeih, aged 7, who subsequently died due to delays in his medical evacuation after being found clinging to his own intestines.²⁸⁷

Even though under the Oslo accords Israel recognises the Gaza Strip and the West Bank comprise a single territorial unit, travelling between the two areas is almost impossible. Since transiting through Israel is an unavoidable condition of passing between Gaza and the West Bank, Palestinians must obtain a permit prior to travelling in order to pass through the country. Only a miniscule number of permits are issued, seriously limiting the flow of human mobility between the Palestinian territories. Over the course of December 2015, only 1,097 patients, and an additional 1,009 attendees were permitted to pass through Erez crossing to receive urgent

²⁸⁵ B'Tselem., *The Scope of Israeli Control Over the Gaza Strip*, http://www.btselem.org/gaza_strip/gaza_status, January 5th, 2014

²⁸⁶ PCHR., *State of the Gaza Strip's Border Crossings 01-31 December 2015*, http://pchrgaza.org/en/wp-content/uploads/2016/01/Clouser_Dec.2015-en-1.pdf, accessed (13/02/2016)

²⁸⁷ UN., *Report of the Detailed Findings of the Independent Commission of Inquiry Established Pursuant to Human Rights Council S-21/1*, <http://www.ohchr.org/EN/HRBodies/HRC/ColGazaConflict/Pages/ReportColGaza.aspx>, June, 2015, Article 25, pp. 7

medical attention at hospitals in Israel or the West Bank. In the same period, Israeli forces obstructed other patients under a number of different pretexts, whilst also arbitrarily closing the crossing for 8 days without explanation.²⁸⁸ Before the outbreak of the second *Intifada*, an average of 26,000 people per day were allowed freedom of movement between Gaza and Israel. In 2013, the UN reported an average of 200 a day were permitted to leave.²⁸⁹ The only other crossing available to Gazans is Rafah along the Egyptian border, which also has stringent restrictions since Morsi's ousting three years ago. In 2012, 420,000 Palestinians used the Rafah terminal to cross in and out of Egypt. Only 6,800 people in comparison crossed during the first 5 months of 2015.²⁹⁰ The Gaza Strip, at the current juncture, represents a burden both for Israel and Egypt, with the former hoping the latter will annex it completely.²⁹¹ Egypt has refrained from succumbing to Israel's suggestions and "succeeded in pushing responsibility for Gaza entirely onto Israel, through which Gazan goods and nearly all persons now travel."²⁹²

4.3.2 Goods

Karni, Sufa, and Kerem Shalom are the designated crossing points for the transfer of goods. Operating nowhere near its full capacity, only Kerem Shalom is currently open. The crossing was sporadically closed for a total of 52 days in the first four months of 2013 alone.²⁹³ In the wake of Operation Protective Edge, the territory is in severe need of building materials to begin reconstruction of important infrastructure. Yet, at present, "less than 1% of construction materials required to build houses destroyed and damaged during hostilities, and to address natural population growth, have so far entered Gaza."²⁹⁴

The asymmetrical dynamic which defines the conflict means Israel is able to dictate what and when Gazans are allowed access to building materials. In 2010, Israel's Security Cabinet took the decision to categorise a number of goods and items as "dual use." These are products which

²⁸⁸ Ibid

²⁸⁹ OCHA., *The Humanitarian Impact of Movement Restrictions On People and Goods*, https://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_july_2013_english.pdf, July 2013

²⁹⁰ International Crisis Group., *No Exit? Gaza and Israel Between Wars*, Middle East Report No. 162, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/162-no-exit-gaza-and-israel-between-wars.pdf>, 26th August, 2015, pp. 10

²⁹¹ Pappe, I., Interview, 19/8/15

²⁹² International Crisis Group., *No Exit? Gaza and Israel Between Wars*, Middle East Report No. 162, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/162-no-exit-gaza-and-israel-between-wars.pdf>, 26th August, 2015, pp. 1

²⁹³ OCHA., *The Humanitarian Impact of Movement Restrictions On People and Goods*, https://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_july_2013_english.pdf, July 2013

²⁹⁴ OCHA., *The Gaza Strip: The Humanitarian Impact of the Blockade*, https://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_july_2015_english.pdf, July 2015

are “liable to be used, side by side with their civilian purposes, for the development, production, installation or enhancement of military...and terrorist capacities.”²⁹⁵ Reconstruction of Gaza is perpetually impeded since Israel classifies basic building materials such as gravel, steel bars and cement as “dual use” items, severely restricting their importation.²⁹⁶

The UN has also been accused of being complicit in this logjam, as it refuses to reveal any details of the Gaza Reconstruction Mechanism (GRM)²⁹⁷. According to the UN, the GRM is a temporary agreement it brokered with the governments of Palestine and Israel “to enable construction and reconstruction work at the large scale now required in the Gaza Strip.”²⁹⁸ The treaty was drawn up after the ceasefire which saw the end of Israel’s 50 day assault in the summer of 2014, and was expected to enable the PA to kick start the reconstruction effort, develop Gaza’s private sector, assure donors their investments will contribute to an immediate rebuilding effort and address Israel’s security concerns over “dual use” items.²⁹⁹ In reality, the GRM is more a surveillance mechanism which gives Israel’s occupying forces even more intrusive control over the reconstruction of Gaza as the deliverance of building materials to desperate families is subject to Israeli pre-approval. Under the guise of reconstruction, homeless Gazans are monitored by the UN and their private information is passed onto Israel, which has “a veto over which families get aid to rebuild their homes.”³⁰⁰ Ordinary Gazans are used to accrue political leverage since the PA, who hold no administrative power in Gaza, also collect their own data on their own brethren in the territory in aiming to appease Israel and present itself as a legitimate partner for peace.³⁰¹ The tragic repercussion of the UN and PA’s

²⁹⁵ Israel Ministry of Foreign Affairs., *Gaza: List of Controlled Items*, http://www.mfa.gov.il/mfa/foreignpolicy/peace/humanitarian/pages/lists_controlled_entry_items_4-jul-2010.aspx, 4th July, 2010

²⁹⁶ OCHA., *The Gaza Strip: The Humanitarian Impact of the Blockade*, https://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_july_2015_english.pdf, July 2015

²⁹⁷ Abunimah, A., *Under Cover of Reconstruction, the UN and PA become enforcers of Israel’s Gaza Siege*, <https://electronicintifada.net/blogs/ali-abunimah/under-cover-reconstruction-un-and-pa-become-enforcers-israels-gaza-siege>, October 17th, 2014

²⁹⁸ UN., *Gaza Reconstruction Mechanism: Fact Sheet*, <http://www.unsco.org/Gaza%20Reconstruction%20Mechanism%20Fact%20Sheet%209%20October%202014.pdf>, September 2014

²⁹⁹ Ibid

³⁰⁰ Abunimah, A., *Under Cover of Reconstruction, the UN and PA become enforcers of Israel’s Gaza Siege*, <https://electronicintifada.net/blogs/ali-abunimah/under-cover-reconstruction-un-and-pa-become-enforcers-israels-gaza-siege>, October 17th, 2014

³⁰¹ Abunimah, A., *UN Database for Gaza Aid May Give Israel Targets to Attack – Secret Memo*, <https://electronicintifada.net/blogs/ali-abunimah/un-database-gaza-aid-may-give-israel-targets-attack-secret-memo>, 13th January, 2016

collusion with Israel in monitoring the supply of building materials is that only a single home had been reconstructed a full 18 months after the attacks on Gaza.³⁰²

4.3.3 Airspace and Territorial Waters

The third means by which Israel is able to preserve complete oversight of the Gaza Strip is by controlling the airspace and territorial waters. Control over the airspace enables Israel to conduct intelligence gathering missions on a daily basis, allowing it to monitor “activity on the ground and attack targets whenever it wants.”³⁰³ The most horrifying illustration of this capability was manifest when a UN fact finding mission into the Operation Cast Lead found countless examples of Israel’s ability to collectively punish the population through its control of the airspace. The first attack, for example, which took place at 11:30am on a weekday when school children were returning from school, was judged to be a calculated effort “to create the greatest disruption and widespread panic among the civilian population.”³⁰⁴ In the same report, Israel was found in breach of Articles 18 and 19 of the Fourth Geneva Convention when it intentionally shelled “al-Quds hospital using high-explosive artillery shells and white phosphorous.”³⁰⁵ The mission also drew attention to evidence suggesting the Israeli armed forces unnecessarily destroyed a number of food producing facilities including mills, farms, greenhouses and drinking water installations, with the “purpose of denying sustenance to the civilian population.”³⁰⁶

Israel’s ability to wilfully stifle Gazans and their economy includes control of the territory’s coastline. Gazan fishermen require a permit from Israel. If obtained, permit holders are restricted in how far out to sea they can travel. At their most severe, Israeli imposed limitations have restricted fishermen to only 3 nautical miles. These arbitrary restrictions completely breach the Oslo Accords. Though the agreements enforce some restrictions on Palestinian maritime activity, they allowed fisherman to travel 20 miles from the coast.³⁰⁷ Currently,

³⁰² Abunimah, A., *Why Has the UN Rebuilt Just One House in Gaza?*, <https://electronicintifada.net/blogs/ali-abunimah/why-has-un-rebuilt-just-one-house-gaza>, 29th November, 2015

³⁰³ B’Tselem., *Israel’s Control of the Airspace and the Territorial Waters of the Gaza Strip*, http://www.btselem.org/gaza_strip/control_on_air_space_and_territorial_waters, 1st January, 2013

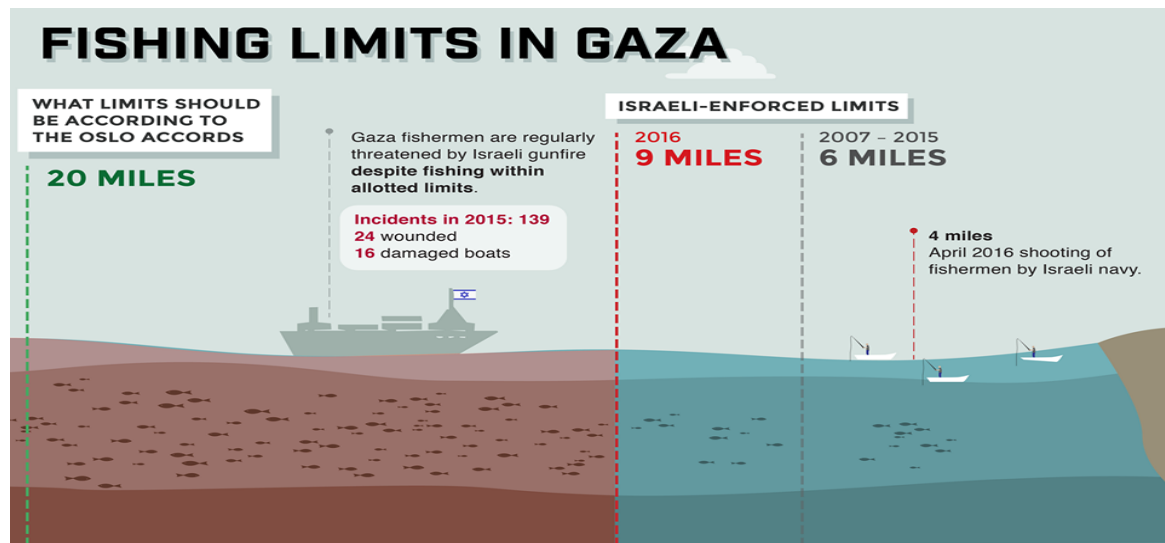
³⁰⁴ Goldstone, R., *Human Rights in Palestine and Other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict*, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>, 25th September, 2009, 1887, pp. 407

³⁰⁵ Ibid, 1919, pp. 413

³⁰⁶ Ibid, 1929, pp. 415-416

³⁰⁷ Article XIV1a., *The Israeli-Palestinian Interim Agreement- Annex I*, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement%20-%20annex%20i.aspx#article14>, 28th September, 1995

fishermen are permitted to travel 9 nautical miles with the boundary being extended from 6 miles this year as part of a programme to improve stability.³⁰⁸ Nonetheless, this restriction does not necessarily entail fisherman are able to travel this far with reports of the Israeli Navy firing at fishing boats just 4 miles from the shore³⁰⁹ and is nowhere near the 20 mile limit agreed in Oslo.³¹⁰ More importantly, 9 miles still cripples the small fishing industry many families in Gaza rely on as the diagram below shows how the more abundant catches are beyond these enforced limits (see diagram below).



In 1999, Gaza's fishing industry caught 3,650 tonnes of fish. A year after Israel restricted fishing access to 3 nautical miles, this dropped to 2702 tonnes, and by the end of 2011, totalled only 1308 tonnes, nearly a third of the produce in comparison to 12 years prior.³¹¹ Reaffirming Israel's restrictions were behind this steep decline, the Food and Agricultural Association (FAO) found similar evidence the averaged catch between 2009-2011 was less than a quarter of the average size catch between 2006-2008.³¹² Over \$600 million was absent from the Gazan economy over a twelve year period as the potential catch lost due to access restrictions from

³⁰⁸ Waheidi, M., & Kershner, I., Israel Expands Palestinian Fishing Zone off Gaza's Coast, <http://www.nytimes.com/2016/04/04/world/middleeast/israel-expands-palestinian-fishing-zone-off-gazas-coast.html>, 3rd April, 2016

³⁰⁹ Matar, H., & Omer-Man, M., *IDF Fires on Gaza Fisherman Despite Expanded Fishing Zone*, <http://972mag.com/idf-fires-on-gaza-fishermen-despite-expanded-fishing-zone/118468/>, 9th April, 2016

³¹⁰ Article XIV1a., *The Israeli-Palestinian Interim Agreement – Annex I*, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement%20-%20annex%20i.aspx#article14>, 28th September, 1995

³¹¹ OCHA., *The Monthly Humanitarian Monitor*, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_12_15_english.pdf, November 2011

³¹² Ibid

2000 to 2012 was estimated at approximately 1,300 metric tonnes (mt) per year.³¹³ This ability to capriciously constrict the Gaza Strip from both the air and sea renders all 1.8 million Gazans and their industries at the mercy of a regional global power.

4.3.4 Population Register

Israel's control of the Gaza Strip extends beyond its natural boundaries and encompasses administrative authority over the population register. The Oslo II Agreement transferred jurisdiction of the joint Gaza Strip-West Bank population register to the newly formed PA, and gave the interim government oversight over documentation and files detailing information about residents in the occupied territories. Although Israel maintained some veto powers, the purpose the agreement was to create a joint committee to oversee a host of issues pertaining to Palestinian movements between the occupied territories.³¹⁴ Under the terms of the agreement the PA was expected to inform Israel of any updates regarding each resident's place of residence. Since 2000, Israel has failed to update its copy of the register, and refused to acknowledge any changes by the PA, generating a sub-set of Palestinians in the Gaza Strip without any formally recognised status.³¹⁵

After the outbreak of the second *Intifada*, Israel froze all registry updates except for exceptional circumstances, and children born to a Gaza resident under the age of sixteen. The knock on effect is that for the past decade and a half there are no administrative mechanisms in place for relatives and spouses in the West Bank to obtain any residency status in the Gaza Strip, despite it being formally recognised as composing a unitary component of a future Palestinian state. Unregistered Palestinians are severely limited in their ability to exercise their most basic rights, since registration is a prerequisite for attaining identification cards and passports which are needed to travel internally to schools, jobs, hospitals and to visit family. Registered persons in Gaza are even more restricted, as Israel has effectively frozen the ability of residents to enter or exit the West Bank on a temporary or permanent basis; denying people the basic right to visit family, maintain businesses and attend university. Those registered as Gaza residents

³¹³ OCHA., *Access Restricted Areas (ARA) in the Gaza Strip*, https://www.ochaopt.org/documents/ocha_opt_gaza_ara_factsheet_july_2013_english.pdf, July 2013

³¹⁴ See Article 28., *The Israeli-Palestinian Interim Agreement- Annex III*, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement%20-%20annex%20iii.aspx#app-28>, 28TH September, 1995

³¹⁵ B'Tselem., *Residents Without Status*, http://www.btselem.org/gaza_strip/stateless, 21st July, 2013

living in the West Bank are under constant threat from being transferred back to the strip, since Israel deems them illegal infiltrators and refuses recognise their right to live there.³¹⁶

As mentioned above, Israel's veto powers over the maintenance of the population registry, its refusal to update its copy of the register and its complete control of Gaza's borders seriously curb the ability of people to reunify with family members in Israel, the West Bank and abroad. Under the pretence of security, Israel flagrantly denies the right to family life in order to isolate Gaza residents from the outside world and purposefully seclude the territory. According to Israel's Ministry of Justice, the Gaza Strip is a "hostile territory controlled by a murderous terrorist organisation," which wishes "to shift their war against Israel to the West Bank, through *inter alia*, the transfer of knowledge, military capabilities and explosive experts."³¹⁷ This justification sustains Israel's drastic measures towards the Gaza Strip, resulting in a view that the right to family life "does not include a couple's right to choose where to live and that the state holds the power to make the decision."³¹⁸ Steinberg echoes this justification, contending no country permits unfettered immigration.³¹⁹ Yet, Israel appears to contradict its own arguments with regards to Palestinians in the West Bank wishing to relocate permanently to the Gaza Strip. For it easily permits such passage, raising questions as to whether this access masks a more illegitimate concern with altering the demographic balance of the former in favour of a Jewish majority.³²⁰ Control over the register, therefore, is an additional means to constrain multiple aspects of the average Palestinian's existence, including the rudimentary right to marry and live with someone from the same territorial unit.

4.3.5 Tax Collection

The final way Israel is able to control the Gaza Strip without directly occupying it is by withholding tax revenues generated by everyday goods from the PA. Under the Protocol on

³¹⁶ Human Rights Watch., *"Forget About Him, He's Not Here": Israel's Control of Palestinian Residency in the West Bank and Gaza*, <https://www.hrw.org/sites/default/files/reports/iopt0212webwcover.pdf>, 2012, pp. 4

³¹⁷ Radzyner, A., of the Ministry of Justice, in B'Tselem., *So Near and Yet So Far: Implications of Israeli-Imposed Seclusion Gaza Strip on Palestinians' Right to Family Life*, http://www.btselem.org/sites/default/files2/201401_so_near_and_yet_so_far_eng.pdf, January 2014, pp. 63-65

³¹⁸ B'Tselem, *Ibid*, pp. 61

³¹⁹ Steinberg, G., Interview, 10/8/15

³²⁰ B'Tselem., *So Near and Yet So Far: Implications of Israeli-Imposed Seclusion Gaza Strip on Palestinians' Right to Family Life*, http://www.btselem.org/sites/default/files2/201401_so_near_and_yet_so_far_eng.pdf, January 2014, pp. 62

Economic Relations, signed in Paris, April 1994, except for a limited number of goods produced locally in Egypt and Jordan, both sides agreed to

“Maintain the same import policy and regulations including classification, valuation and other customs procedures, which are based on the principles governing international codes, and the same policy of import licensing and of standards for imported goods, all as applied by Israel with respect to its importation.”³²¹

The aim of the protocol was to establish an economic framework to regulate Palestinian-Israeli economic relations. In reality the agreement’s chronic structural biases placed trade relations into a unilateral, semi-customs union.³²² It assigned Israel the task of setting VAT and customs rates on goods intended for Gaza, as well as collecting taxes on behalf of the PA, and transferring these tax monies to them on a monthly basis.³²³ In practise, the agreement has been brazenly manipulated to further strangle the Palestinian people and economy, as Israel frequently refuses to transfer tax revenue to the PA. “This gives the Israeli Government a disproportionate influence on the collection of Palestinian fiscal revenue.”³²⁴ The customs union outlined in the agreement was intended to preserve the status quo in the Israeli-Palestinian economic relationship. That is, to keep both economies integrated but maintain the Palestinian economy’s dependency on Israel’s. 90% of Palestinian trade, both import and export, between 2007- 2011 was with Israel. At the same time, Palestine’s trade deficit with Israel during this period increased approximately 40% from \$2.3 billion to \$3.2 billion.³²⁵ The current state of Palestinian-Israeli trade, alongside the terms of the economic agreements has huge repercussions for the average Palestinian. For under the terms of the agreement, a merchant in Gaza who purchases clothes from an Israeli manufacturer pays VAT at a rate determined by Israel, for which the Knesset is then responsible for transferring to the PA.³²⁶ If 90% of Palestine’s imports originate from Israel this essentially means Israel is responsible for

³²¹ Article III 10., *The Palestinian-Israeli Interim Agreement on the West Bank & the Gaza Strip: Protocol on Economic Relations*, <http://www.nad-plo.org/userfiles/file/Document/ParisPro.pdf>, April 29th, 1994

³²² Elkhafif, M., Misayef, M., Elagraa, M., in United Nations Conference on Trade and Development (UNCTAD)., *Palestinian Fiscal Revenue Leakage to Israel Under the Paris Protocol on Economic Relations*, http://unctad.org/en/publicationslibrary/gdsapp2013d1_en.pdf, 2014, pp. III

³²³ B’Tselem., *The Scope of Israeli Control in the Gaza Strip*, http://www.btselem.org/gaza_strip/gaza_status, 5th January, 2014

³²⁴ Elkhafif, M., Misayef, M., Elagraa, M., in United Nations Conference on Trade and Development (UNCTAD)., *Palestinian Fiscal Revenue Leakage to Israel Under the Paris Protocol on Economic Relations*, http://unctad.org/en/publicationslibrary/gdsapp2013d1_en.pdf, 2014, pp. III

³²⁵ Ibid, pp. 1

³²⁶ Gisha.org., *The Tax System: Scale of Control*, <http://gisha.org/en-blog/2011/11/14/the-tax-system/>, November 14th, 2011

transferring 90% of Palestinian VAT to the PA, making the latter entirely dependent upon the former. Thus, as discussed in the previous chapter, the Palestinian economy is held hostage to Israeli unilateralism, exacerbating the structural dimensions of the conflict which ultimately manifest themselves in the stark relational dynamics between ordinary Palestinians and Israelis.

The five means Israel exerts its influence over Gaza have led some commentators to compare the territory to an open prison.³²⁷ Israel disputes its disengagement means it no longer has any legal obligations towards the territory. However, this argument presumes the withdrawing of troops and settlers equates to complete Palestinian sovereignty. This rationale is similar to those who refer to the PA rejecting Israel's generous offer at Camp David in as evidence of its unwillingness to make peace. The assumption is that since Israel offered 95% of the West Bank, this would equate to 95% of the sovereignty. Jeff Halper, the coordinating director of the NGO Israeli Committee Against House Demolitions (ICAHD), contends it is more helpful to conceive this 95% in terms of a prison. For all intents and purposes, the vast majority of the prison is for prisoner usage, whereas the remaining 5% is set aside for the guards who maintain control.³²⁸ The same analogy is applicable in regards to Gaza as Israel controls when, who and what go in and out the territory, and retain a firm grip on Gaza's tax revenues, as well as, its coast and aerospace. The only exception to the West Bank comparison is Israel refuses to acknowledge that, despite the lack of military or civilian presence on the ground, its political and security presence is still very much perceptible.

4.4 Parlevliet's Human Rights as Structures Dimension

By compartmentalising the structural undercurrents perpetuating the conflict into the separate spheres of Israel, West Bank, and Gaza Strip, the Palestinian experience of occupation differs in levels of severity depending upon where one is located. Moreover, the bodies of laws and institutions utilised to exert pressure on the Palestinians goes beyond these geographic locations as shown above, since where, or even if, an Arab is registered as a Palestinian by Israel goes a long way in determining the extent to how one is restricted within Israel's occupation. Situated in the context of Parlevliet's article, drawing attention to the various laws, institutions and methods underlying the conflict sheds more light on the functioning of the state.

³²⁷ Pappé, I., Interview, 19/8/15

³²⁸ Halper, J., *Occupation*, <https://www.youtube.com/watch?v=Yul5GP2LJAs>, 10th September, 2012

“Without paying attention to the institutions, mechanisms and processes that are supposed to generate effective participatory governance and order, it is very hard to address the core issues of structural violence, political marginalisation and socio-economic injustice.”³²⁹

All three core issues in the quotation above have not only been highlighted in the current chapter but have been shown to filter down through Parlevliet’s other dimensions discussed in the preceding chapters. Galtung, for instance, argues structural violence is rarely if ever, corporeally visible, but manifests itself in sustained forms of inequality and social injustice.³³⁰ Whenever groups of people are distinguishable, not only along national, ethnic or religious denominations but by the disparity that exists between each group’s access to goods, education, and job opportunities, structural violence exists. “The violence is built into the structure and shows up as unequal power and consequently life chances.”³³¹ In its independent commission report into the 2014 Gaza offensive, the UN alluded to this interrelation between direct and structural violence by concluding, “The impact of hostilities in Gaza cannot be assessed separately from the blockade imposed by Israel.”³³²

In 2013, figures from the Central Bureau of Statistics in Israel (CBS) revealed the average life expectancy of Jewish Israelis exceeded that of the Arab Israeli counterparts by more than 3 years (3.7 years for men and 3.3 for women).³³³ When comparing current statistics between Israel and the occupied territories, the disparity in these figures are more than doubled. Israel has the 11th best life expectancy from birth rate in the world, at an average of 82 years. The West Bank comes in at 92nd place with a life expectancy of 75.9 years, and the Gaza Strip a 110th with 74.8 years.³³⁴ Similarly in 2015, Israel’s unemployment rate stood at 5.1%, better than France, Sweden and Germany. Yet, dissecting these statistics further reveals Israeli-Arabs are far less participatory in the labour market and have a higher than average unemployment

³²⁹ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 13

³³⁰ Galtung, J., *Violence, Peace, and Peace Research*, Journal of Peace Research, Vol. 6, No. 3, 1969, pp. 171

³³¹ Ibid

³³² UN., Report of the Detailed Findings of the Independent Commission of Inquiry Established Pursuant to Human Rights Council S-21/1, <http://www.ohchr.org/EN/HRBodies/HRC/ColGazaConflict/Pages/ReportColGaza.aspx>, June, 2015, Article 24, pp. 7

³³³ CBS as quoted in Aderet, O., *Israelis’ Life Expectancy Has Risen by Two Years Over Past Decade*, <http://www.haaretz.com/israel-news/.premium-1.547293>, 16th September 2013

³³⁴ CIA., *CIA Fact Book*, <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2102rank.html>, accessed (24/2/16)

rate at 7.8%.³³⁵ Given Israeli-Arabs only constitute 20% of Israel's total population, this figure uncovers the institutional, economic disparity between the country's Jewish and Arab citizens. A report co-authored by Tel Aviv University and the Bank of Israel highlighted Israeli Arabs as one of the country's poorest population sectors. The report highlighted employment and wage discrimination as the main catalysts intensifying a variety of issues linked to their plight, including low education, inadequate resource allocation and cultural difference.³³⁶ The World Bank locates the root of Gaza's decline to the damage caused by repeated armed conflicts and the blockade. In a report last year, it found Gaza's once significant manufacturing industry had shrunk 60% and its exports rendered practically non-existent since Israel's disengagement.³³⁷

Galtung points out structural violence, unlike direct violence, manifests itself indirectly. Although these figures on their own reveal little epistemological evidence for its existence, considered alongside the set of laws, institutions, mechanism and tactics which actively discriminate against and collectively punish Palestinians, it is evident the existence of structural violence is not only present and exacerbating the conflict, but that its ramifications are palpable at the personal and relational levels. The holistic nature of structural violence and its repercussions for the conflict are illustrated by fact:

"These problems create a vicious cycle: when the population is poor and its labour market participation is only partial (women) and subject to barriers (men), it is difficult to invest in basic and higher education and to develop employment opportunities; this in turn leads to continued poor performance in the labour market. The physical and cultural distance from Jewish employment and residential hubs intensifies feelings of alienation and poses an obstacle to efforts that may reduce discrimination. When these problems compound each other over the course of time, the incentive and willingness to change the situation are negatively affected."³³⁸

The uneven distribution of power legitimates and solidifies an abhorrently discriminate social structure which conspires with the micro and macro-economic structures to seriously limit the agency of the average Palestinian, whether they be in Israel, the West Bank, or the Gaza Strip.

³³⁵ Bassock, M., *Israel's Unemployment Rate Declined in 2014, Fourth Quarter*, <http://www.haaretz.com/israel-news/business/.premium-1.639789>, January 30th, 2014

³³⁶ Yashiv, E., & Kasir, N., *The Labour Market of Israeli Arabs*, <http://www.tau.ac.il/~yashiv/Israeli%20Arabs%20in%20the%20Labor%20Market%20--%20Policy%20Paper.pdf>, January 2014, pp. 4

³³⁷ The World Bank., *Economic Monitoring Report to the Ad Hoc Liaison Committee*, http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2015/05/27/090224b082ecb31/5_0/Rendered/PDF/Economic0monit0oc0liaison0committee.pdf, May 27th, 2015, pp. 6

³³⁸ See 335

Put simply, it is “a harsh reality masked under illegitimate laws in order to justify human rights violations towards Palestinians.”³³⁹ At the grassroots level, the situation which transpires as result of the structural mechanisms sustaining the conflict bridge the gap between Galtung’s theory and the UDHR, since once one’s basic needs cannot be met then “structural violence becomes a structural violation of human rights.”³⁴⁰ In Israel and Palestine, the economic disparities between Jews and Arabs, as shown by the figures above, highlight the interconnectivity of Lederach’s modes and Parlevliet’s dimensions analysed thus far, since the additional and multiple layers of structural violence are built upon this fundamental inequality.³⁴¹ This systemic inequality creates the ideal breeding ground for future violent reactions, which may manifest themselves in suicide bombings, or the current spate of sporadic knife attacks occurring at the time of writing; a view Richard Goldstone concluded in his investigation into Operation Cast Lead in 2009:

“Israel’s failure to acknowledge and exercise its responsibilities as the occupying power further exacerbated the effects of the occupation on the Palestinian people and continue to do so. The harsh and unlawful practices of occupation, far from quelling resistance, breed it, including its violent manifestations.”³⁴²

More importantly from the perspective of this thesis, the conclusions of the Goldstone report also refer to the cultural processes of dehumanizing and demonizing of the significant other within Israeli society, which augments a state of paranoia.³⁴³ These insights link seamlessly with Lederach’s final mode which considers the cultural contours of the conflict in both societies.

³³⁹ Barghouti, M., in Palumbo-Liu, D., “*They Think They Have Nothing More to Lose*”: *Young Palestinians on the Frustration and Oppression Fuelling the Current Wave of Protests in Israel*, http://www.salon.com/2015/11/06/they_think_that_they_have_nothing_more_to_lose_young_palestinians_on_the_frustration_and_oppression_fueling_the_current_wave_of_protests_in_israel/, November 6th, 2015

³⁴⁰ Ho, K., *Structural Violence as a Human Rights Violation*, Essex Human Right Review, Vol. 4, No. 2, September 2007, pp. 15

³⁴¹ Ibid, pp. 4

³⁴² Goldstone, R., *Human Rights in Palestine and Other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict*, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>, 25th September, 2009, 1897, pp. 408

³⁴³ Ibid, 1905, pp. 410

Chapter 5: Cultural Mode

Lederach's cultural mode considers how cultures and their cognitive perceptions fluctuate according to the ebb and flow of the conflict. In terms of conflict transformation, it seeks to understand how groups of people react to developments within the confines of the conflict, and how those accumulated and shared patterns dictate the way people, in a given context, understand and respond to the conflict phenomenologically.³⁴⁴ The Goldstone report referenced in the previous chapter, for instance, concludes the cultural processes in both Israeli and Palestinian society are disturbingly similar in their demonization of the other.

"As Palestinians, 'we look in general to the Israelis as demons and that we can hate them, that what we do is a reaction, and we say that the Israelis can only understand the language of power. The same thing we say about the Israelis they say about us, that we only understand the language of violence or force.'"³⁴⁵

This outlook ultimately generates an increasingly tenser and febrile cycle of hatred, which consequentially results in more acts of reactionary violence on the Palestinian side, and more severe, more exasperating structural violence from the Israeli side. In accordance with the aims of this thesis, this chapter will parallel Lederach's cultural mode with Parlevliet's fourth dimension of human rights as process, which is concerned with how "issues of access, protection and identity are addressed."³⁴⁶ As Lederach's cultural mode aims to uncover the social patterns that contribute to violence, Parlevliet's process dimension highlights the need to validate and consolidate human rights principles into conflict transformation processes throughout society. Though the parallel between these aspects of each authors' edifices are not as obvious as those in the previous chapters, the theoretical justification linking the two together is based on the recognition that the possibility and sustainability of peace is based on its substance. If the overwhelming majority in either party is content with the current status quo or intent on escalating poor relations by advocating the continuation of policies which aggravate central issues for the other, then the conflict will only intensify. Currently, the Israeli

³⁴⁴ Lederach, J., *Conflict Transformation*, <http://www.beyondintractability.org/essay/transformation>, October 2003

³⁴⁵ Goldstone, R., *Human Rights in Palestine and Other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict*, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>, 25th September, 2009, 1905, pp. 410

³⁴⁶ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 10

government's settlement enterprise in the West Bank does exactly that. It purposefully undermines the possibilities of implementing a two-state solution and sabotages any possibility for a viable Palestinian state. The Israeli government's justification for this inflammatory policy stems from a significant portion of the Israeli electorate on the right of the political spectrum.

In the following chapter, the viability of the Palestinian state will be considered alongside the cultural justifications advocating the continuing settlement of the West Bank and the overall occupation. The perceived failure of the two-state solution amongst Palestinians, in conjunction with a brutal realism concerning the possibility of the alternative one-state solution, is shown to explain the current switch to a human rights discourse. In addition, the current trends in Israeli politics will be analysed to demonstrate the gradual, yet drastic switch towards the far-right amongst the Israeli electorate. At this stage, a brief discourse analysis will be employed to link a growing number of Israeli politicians with discursive practices manifesting the onset of verbal dehumanization. These discursive practices from the higher echelons of Jewish-Israeli society and politics will then be connected to the continuation of the settlement enterprise, and the growing phenomena of settler violence towards Palestinians, thus completing the cycle set out in the introduction from Lederach's personal to cultural mode.

5.1 Two State Solution?

The crucial starting point for this chapter is found in Parlevliet's contention that "if local or national stakeholders consider a process as flawed, this will contaminate the peace (or outcome) resulting from that process and undermine its legitimacy and sustainability."³⁴⁷ Presently, the two-state solution is considered the most desirable outcome for this protracted conflict. The notion of two-states for two peoples has been the mantra for the leadership of the PA, Israel and the international community since the signing of the Oslo Accords. Whenever the conflict inevitably flares up, world leaders automatically endorse the solution and advocate for its immediate implementation. In his address to the UN General Assembly in 2013, President Obama championed the idea that "Israel's security as a Jewish and democratic state depends on the realisation of a Palestinian state." "Stability," he stressed, "will only be served through a two-state solution."³⁴⁸ A year later, he reiterated this predilection, maintaining,

³⁴⁷ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 10

³⁴⁸ Obama, B., *President Obama's Full UN Address (2013)*, The Daily Conversation, <https://www.youtube.com/watch?v=9Cg9wEVQZCA>, 24th September, 2013

“Israelis, Palestinians, the region and the world will be more just and more safe with two states living side by side, in peace and security.”³⁴⁹ On a stately visit to Israel and the Occupied Territories in 2014, British Prime Minister David Cameron lauded the rewards of a two state solution in his address to the Knesset.

“Imagine what this land would be like if a 2 state solution was actually achieved. Think of all the aspects of life that would change: Israel’s relationships with the world, its security, its long-term prosperity and the quality of life for all of its people.”³⁵⁰

During Operation Protective Edge, along with condemning the escalating violence, a European Parliament (EP) resolution underscored “its strong support for the two-state solution on the basis of the 1967 borders.”³⁵¹ At a joint news conference in Berlin with Netanyahu, during the time of writing, German Chancellor Angela Merkel stated, “We believe...that we have to advance a process of peaceful co-existence, and this according to our opinion, is ultimately built on a two-state solution.”³⁵²

This political consensus amongst world leaders completely overlooks the current state of affairs on the ground; where Palestinians in the West Bank question how a contiguous Palestinian state is possible when a network of Jewish only roads and settlements dice Arab land into nothing more than a few densely populated, stranded islands. For instance, asked whether the two-state solution was still possible, Bethlehem shopkeeper Claire Anastas responded:

“Maybe in the past. If they did it before they built all of these settlements. We have hundreds of thousands of Jewish settlements inside Palestine. We always wondered, how come they want to make two states? Or build our own Palestinian state within these walls, surrounded and caged inside, while we are having Palestinian cities surrounded with settlements, like Bethlehem.”³⁵³

Founder of the Stop the Wall campaign Jamal Juma echoed this view:

³⁴⁹ Obama, B., *Remarks by President Obama in Address to the United Nations General Assembly*, <https://www.whitehouse.gov/the-press-office/2014/09/24/remarks-president-obama-address-united-nations-general-assembly>, 24th September, 2014

³⁵⁰ Cameron, D., *David Cameron’s Speech at the Knesset on a Visit to Israel in March 2014*, <https://www.gov.uk/government/speeches/david-camersons-speech-to-the-knesset-in-israel>, March 2014

³⁵¹ Statute 6., *European Parliament resolution on the escalation of violence between Israel and Palestine*, <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P8-RC-2014-0071&language=EN>, 16/07/2014

³⁵² Merkel, A., in *The Forward*, *Angela Merkel Urges Little Steps to Two-State Solution*, <http://forward.com/news/breaking-news/333613/angela-merkel-urges-little-steps-to-two-state-solution/>, February 16th, 2016

³⁵³ Anastas, C., Interview, 7/8/15

“Now we are talking about 650,000 settlers in the West Bank. This has occurred over the last 23 years while we are supposed to be making peace and two states according to Oslo. Israel has no intention of allowing a Palestinian state. They put all sorts of obstacles to destroy the two-state solution.”³⁵⁴

Former PA Minister of State, Ziad Abu Zayyad, also concurs on this point. Questioned on the remaining viability of the two-state solution Abu Zayyad admitted:

“I think it is, in theory, the best solution. Practically speaking, I think we are missing that opportunity because the whole idea of the two state-solution is of a Palestinian state alongside an Israeli state along the 67 borders. But because of the Israeli settlement activities in the West Bank, they did not want a Palestinian state and the two state solution is becoming unrealistic, especially when we realise there are no politicians in Israel who will have the courage to evacuate the settlers from the Palestinian territories.”³⁵⁵

Abu Zayyad’s comments are particularly controversial when considered alongside those of Saeb Erekat who steadfastly maintains there is any no “other option other than the two-state solution.”³⁵⁶ The former Minister of State accused the PA of not only being out of touch with the situation currently unfolding on the ground, but also of being too stubborn to realise the futility of the two-state cause.

“I think the PA leadership are becoming outdated. They are not living the situation on the ground. They are still fooling themselves that there is a possibility for a political solution. I say this to many of them. What they say to me in private is completely opposite of what they say publically...But this is their life. They have sacrificed everything in their life for this. They are not capable of saying, “We failed.” Sure when they speak to you or journalists they become a diplomat. They will talk about peace, a solution and all these things, which are not realistic. But when I sit with them together drinking coffee, we speak frankly. Many members of the central committee of Fatah or of the PLO are not going to say it failed in public. But the reality is it is a lost cause. There is no hope for a solution along this consensus.”³⁵⁷

Ilan Pappé also attests to these claims, stating that leading PA members recognise the end of the two-state solution and the institution itself but are politically restrained in their ability to denounce its viability publically:

³⁵⁴ Juma, J., Interview, 24/8/15

³⁵⁵ Abu Zayyad, Z., Interview, 7/9/15

³⁵⁶ Erekat, S., Interview, 1/7/2015

³⁵⁷ Abu Zayyad, Z., Interview, 7/9/15

“In private to me they are thinking about plan B. They don’t know exactly how to do it, but they are thinking about plan B. Privately, they are preparing to make a move to give the keys to the Israelis, dismantle the PA and say to them you are responsible for this. We are not part of the game.”³⁵⁸

At this point, it is very important to note that even though comments by former PA members appear to contradict those of the current cabinet, these quotations are taken from interviews conducted for this thesis, and as such, it is important to bear in mind that they can never be completely verified. Nevertheless, in regards to the overall objectives of this thesis, these comments illustrate how the two-state solution is considered a failed and unviable solution right the way through Palestinian society, at ground, civil and political levels. As Jamal Juma pointed out, along with the settlement and road enterprise, a major stumbling block is the political unwillingness of the Israeli leadership to not only halt the expansion of settlements, and see through its commitments to the two state solution, but transfer all existing Jewish settlers in the West Bank behind the Green Line.³⁵⁹

The 2005 disengagement from Gaza has already left an undeniable scar on the Israeli psyche.³⁶⁰ Photographs of IDF soldiers forcefully evacuating Jewish settlers from the territory still invoke rage amongst a large portion of the Israeli public today. Over a ten-day period, the IDF relocated some 8,000 settlers from 21 settlements. The images taken during this process shocked the nation and have since been immortalised in Gush Katif Museum in Jerusalem. Estimates of the settler population in the West Bank range from a conservative of 400,000 to a high of 650,000. The obvious problem is if the transfer of 8,000 settlers was so difficult and traumatising, how is the Israeli government going to be able to transfer some 60-80 times that amount? Put into its base logistics, the practicalities of this task demonstrate its impossibility.³⁶¹ Theoretically, if all 500,000 settlers refused to leave willingly, this would require at least 2-4 soldiers to physically remove 1 settler from the West Bank. Israel’s reserve force of 630,000 troops would have to be tripled, if not quadrupled to undergo such a monumental task.

The only real historical precedent in this regard is the France-Algerian case in 1962. For many in France, before Algerian independence, vast amounts of modern Algeria were considered a sovereign and natural extension of French territory. Approximately 1.5 million settlers, some

³⁵⁸ Pappe, I., Interview, 19/8/15

³⁵⁹ Juma, J., Interview, 24/8/15

³⁶⁰ Baltiansky, G., in *Roundtable Discussion: Obstacles to Successful Israeli-Palestinian Negotiations: How to Overcome Them*, Palestine-Israel Journal of Politics, Economics and Culture (PIJ), Vol. 19, No. 3, 2014, pp. 103

³⁶¹ Keller, A., Interview, 2/9/15

with genealogies stretching up to five generations inhibited this land under the assumption it was France. After independence in 1962, French settlers were given the option to return to France or remain in the newly formed state of Algeria either as French, Algerian or dual nationals.³⁶² Apart from the obvious discrepancy in this historical comparison being the fact Palestine is far from being declared an independent state, academics argue the France-Algerian case demonstrates that co-existence only begins once violence has ceased to be justified.³⁶³

At present, though direct violence is not publically justified by the Israeli leadership, there is a case to be made that comments from Israeli Knesset members encourage overt forms of structural violence which further undermine the possibility of a two-state solution. Current Israeli Minister for Education, Naftali Bennet, for instance, is unhinged in his conviction that the Palestinians will not find their own state. At a political rally in Tel Aviv, the New Yorker reported him promising unequivocally, “I will do everything in my power to make sure they [Palestinians] never get a state.”³⁶⁴ Reuters also has previously quoted the minister as saying, “The idea of Jewish settlements under Palestinian sovereignty is very dangerous and reflects an irrationality of values.”³⁶⁵ In 2013, just days after the resumption of peace talks were announced, he stated, “It is our duty to encourage the continued settlement in Judea and Samaria.”³⁶⁶ More recently, he called for Israel “to go from strategic defence to a process of initiating the implementation of Israeli sovereignty over the territories under Israeli control.”³⁶⁷

Other Knesset members and prominent cabinet ministers are just as guilty of this inflammatory rhetoric, which completely contradicts the very notion of the two-state solution. In an interview with Spiegel, Justice Minister, Ayelet Shaked, recently echoed Bennet’s calls to annex parts of the West Bank within area C and maintained Israel has “no other choice but to go on managing the conflict.”³⁶⁸ Asked whether she believed in a two-state solution in an interview with Al

³⁶² Ibid

³⁶³ Le Sueur, J., in Weiss, P., *The Algeria Model – A Conversation with James D. Le Sueur*, <http://mondoweiss.net/2014/05/algeria-conversation-james/>, May 3rd, 2014

³⁶⁴ Bennet, N., as quoted in Remnick, D., *The Party Unfaithful: The Settlers Move to Annex the West Bank- and Israeli Politics*, <http://www.newyorker.com/magazine/2013/01/21/the-party-faithful>, January 21st, 2013

³⁶⁵ Ibid., as quoted in Reuters, *Netanyahu Would Let Israeli Settlers Live in Future Palestine: Report*, <http://www.reuters.com/article/us-palestinians-israel-idUSBREA0P0S120140126>, January 26th, 2014

³⁶⁶ Ibid., as quoted in thealgemeiner.com, *Livni, Bennet Clash on Benefits for Judea and Samaria Communities*, <http://www.algemeiner.com/2013/08/05/livni-bennett-clash-on-benefits-for-judea-and-samaria-communities/>, August 5th, 2013

³⁶⁷ Ibid, as quoted in Newman, M., *Bennet Urges Israeli Annexation of West Bank*, <http://www.timesofisrael.com/bennett-urges-israeli-annexation-of-west-bank/>, December 28th, 2015

³⁶⁸ Shaked, A., as quoted in interview with Abe, N., & Bergman, R., *Israel Justice Minister Shaked: ‘We Will Not Commit Suicide,’* <http://www.spiegel.de/international/world/israeli-justice-minister-shaked-we-will-not-commit-suicide-a-1074653.html>, January 30th, 2016

Jazeera, Shaked replied, “I don’t think it is a valid solution right now.” More shockingly, Shaked maintained, “Right now the status quo is the best option for everyone.”³⁶⁹

Such comments have left Israel’s allies in Washington confused as to its intentions for resolving the conflict. Secretary of State John Kerry recently admitted he has no idea how the conflict will unfold and argued, more worryingly, that neither do the Israelis.³⁷⁰ America’s growing discontent with Israeli reluctance to resolve the conflict is seen by some within Israel’s media as a small victory on the road to peace, since now leaders in Washington are beginning to understand Israel does not intend to seek the establishment of a Palestinian state but seek a 1.5 solution where it “controls most of the West Bank and the Palestinians have an autonomous zone comprised of several cantons.”³⁷¹

Cynical journalism aside, it is not difficult to locate the substance of the 1.5 solution idea in mainstream Israeli political discourses. In an interview with the Jewish Telegraphic Agency (JTA), Bennet outlined a solution to the conflict, which resonated with the above criticism:

“My vision is for the Palestinians to have autonomy on steroids while we apply Israeli law on the Israeli-controlled parts of Judea and Samaria [the West Bank]. What does that mean? The Palestinians vote for themselves. Barring security, they govern and control almost all aspects in their areas: education, economy, infrastructure. They have full freedom of movement within the entirety of Judea and Samaria. At the same time, we lead an international effort of massive infrastructure investment. What I’m suggesting is less than a Palestinian state primarily in the sense that sovereignty indicates security control and freedom to bring in any weaponry, and that’s something we simply can’t accept.”³⁷²

An interesting point about Bennet’s comments above is the apparent recognition of Palestinians to have freedom of movement within the West Bank, but not Israel itself; a stipulation which it is safe to assume will not be applied to Israel’s illegal settlers. The above quotation is also illustrative of two major milestones in the trajectory of the conflict. Firstly, despite Netanyahu paying lip service to the two-state solution, significant ministers within his cabinet are willing

³⁶⁹ Ibid, as quoted in Al Jazeera., *Two-State Solution is not a “Valid Solution Right Now,”* <http://www.aljazeera.com/programmes/upfront/2015/10/state-solution-valid-solution-151013081528610.html>, October 13th, 2015

³⁷⁰ Hudson, J., *Kerry: I Don’t Know the End Game for Israel – But Neither Do the Israelis*, <http://foreignpolicy.com/2015/12/14/kerry-i-dont-know-the-endgame-for-israel-but-neither-do-the-israelis/>, December 14th, 2015

³⁷¹ Ravid, B., *The U.S. has Realised What Israel Really Wants is a 1.5 State Solution*, <http://www.haaretz.com/israel-news/.premium-1.690434>, December 7th, 2015

³⁷² Bennet, N., as quoted in Heilman, U., *Naftali Bennet: Time to Annex Parts of the West Bank*, <http://www.jta.org/2015/12/03/news-opinion/israel-middle-east/naftali-bennett-time-to-annex-parts-of-west-bank>, December 3rd, 2015

to completely contradict his position in public, demonstrating that even the most right-wing of Israeli politicians are realising the continuation of the occupation is untenable. Secondly, it signifies a re-introduction of ideas of a single state, albeit under a nuanced ideal.

Prominent academics like Pappe have previously argued the idea of a single state, consisting of the land between the sea and the river, was once considered a feasible solution to the conflict, and should be reintegrated into mainstream discourses.³⁷³ Pappe, himself, acknowledges there has been an incremental change in this regard, with separate groups emerging with different conceptualisations of the single state.³⁷⁴ The first being the PA leadership themselves, who, as discussed earlier are becoming increasingly disillusioned with the state of Israeli politics which presents itself as “a system that will not produce a leadership that is even interested in a two-state solution, not only in the near future but the near distant future.”³⁷⁵ Obviously, Erekat’s remarks above illustrate the PA are fully committed to the two-state solution. But Pappe argues they are “much more willing to consider alternative strategies.”

The second group are made up of Jewish communities in the U.S. and those within Israel on the Zionist left, who believe strongly in the pragmatism of the two-state idea and are attached to the notion of Israel maintaining a Jewish majority, but realise the growing impossibility of the idea.³⁷⁶ The likes of Oren Yiftachel personify this group who have label Israel an ethnocracy; a regime which “privileges *ethnos* over *demos* over a contested territory seized by a dominant group.”³⁷⁷ Yiftachel, along with the likes of LeVine and Mossberg have advocated for the nuanced bi-nationalist notion of two states in a single homeland, rather than one state in the truly singular sense.³⁷⁸ Convinced geoeconomics and geopolitics have detached the exercise of power from the control of territory, they contend the parallel states framework overcomes the two-state-one-state dichotomy by addressing the underlining flaws in each.³⁷⁹ According to other advocates, it also addresses the refugee dilemma by granting the right to return as citizens of the state of Palestine and offering freedom of movement rights to all

³⁷³ Pappe, I., *A Blue Print for a One-State Movement: A Troubled History*, in Faris, H (Ed.), *The Failure of the Two State Solution*, Palgrave Macmillan, London, 2013, pp. 155-170

³⁷⁴ Pappe, Interview, pp. 19/8/15

³⁷⁵ Ibid

³⁷⁶ Pappe, I., Interview, 19/8/15

³⁷⁷ Yitchafel, O., ‘Ethnocracy’: *The Politics of Judaizing Israel/Palestine*, *Constellations*, Vol. 6, 1999, pp. 364-391

³⁷⁸ LeVine, M., & Mossberg, M (eds), *One Land Two States: Israel and Palestine as Parallel States*, University of California Press, Berkely, 2014

³⁷⁹ Yitchafel, O., Interview, 13/8/15

Palestinians between the proposed confederacy.³⁸⁰ Nevertheless, Yiftachel himself admits that although the movement has grown exponentially, from 6 founding members to hosting conferences of 400 people in just two and a half years, it remains largely on the fringes of serious political discourse. He concedes it requires a prominent figurehead to break through the deadlock of Israeli politics in order for prominent policy makers to listen; a development which remains a contingency. As Yiftachel, himself, puts it, “It could be a year or ten years before anybody talks about us, so it is sort of a question mark.”³⁸¹

The final group are located on the right of Israeli politics and are imbued with an intellectual core personified by current Israeli President Reuven Rivlin. This group discusses the idea of a single state in a closer manner to that of the first group but ultimately run into considerable constraints trying to navigate Zionist ideology which espouses the necessity of a Jewish majority for the continued survival of the Israeli state. In his speech at the Herzilya Conference last year, Rivlin was pragmatic in his assessment, arguing it was time for people in Israel to look beyond “the accepted view of majority and minorities, and move to a new concept of partnership between the various population sectors in our society.”³⁸² On the issue of equality, the President acknowledged the current status quo was beyond sustainable and even referred to the structural architecture which perpetuates this inequality:

“The current situation of structural gaps between the partners, whether in budgets, infrastructure or land is intolerable. There are clear tribal aspects to poverty in Israel, and the majority of senior positions in the economy are held by the members of one or two sectors.”³⁸³

Yiftachel claims Rivlin has privately endorsed his solution to the conflict.³⁸⁴ However, the President’s public comments fuel speculation as to the sincerity of his endorsement and widens the perception amongst Palestinians that the two-state solution is, not only dead and buried, but has never been taken seriously by Israel. In the minutes to a government meeting with the regional and municipal heads of Jewish settlements in Judea and Samaria, the President was resolute in stating, “We are fighting...for the continued growth of the settlements, a struggle

³⁸⁰ Rapaport, M., “Two States, One Homeland,” Social TV,
<https://www.youtube.com/watch?v=TejmONWRCuw>, July 7th, 2015

³⁸¹ Yitchafel, O., Interview, 13/8/15

³⁸² Rivlin, R., *President Reuven Rivlin Address to the 15th Annual Herzilya Conference*,
http://www.president.gov.il/English/ThePresident/Speeches/Pages/news_070615_01.aspx, June 7th, 2015

³⁸³ Ibid

³⁸⁴ Yiftachel, O., Interview, 13/8/15

for development, prosperity and growth.”³⁸⁵ Rivlin offers a fresh perspective to Israel’s current trajectory and is honest about the settlement enterprise. Arguing in the same meeting,

“It is a basic fact of modern Zionism. We must not give anyone the sense that we are in doubt about our right to our land...The settlement of the land of Israel is an expression of that right.”³⁸⁶

Rivlin’s view is not rogue or counter to large portions of Jewish-Israeli society who consider the West Bank a liberated rather than occupied territory; a dominant societal belief which undoubtedly rejects any notion of compromise on the land.³⁸⁷ As Bennett argues, “If we hand over the West Bank to the Arabs, life here will be miserable and in constant conflict for the next 200 years.”³⁸⁸ The most illuminating aspect of Bennett’s view is the use of the phrase, “Give back,” since it already assumes the West Bank is an integral and rightful territory of Israel, even though international law states otherwise. What is more disconcerting from a Palestinian perspective is Rivlin’s argument that the settlers have, to date, upheld the strictest moral and legal codes in resettling the west bank.³⁸⁹ This view completely ignores the numerous reports of increasing settler violence against Palestinians,³⁹⁰ fuelled by the lack of restraint on the part of the Israeli authorities in upholding the law.³⁹¹

At the more extreme end of the spectrum of this final group are the likes of far-right Jerusalem Post journalist, Caroline Glick, who argues Israel should unilaterally annex the West Bank and impose Israeli law on those who will inevitably become consumed by the newly expanded state. The rationale for this drastic action are both strategic and cultural. Strategically, she contends Israel needs to defend itself from Palestinian terrorism and external threats. Culturally, renouncing the right to settle in Judea and Samaria would be to deny Jewish history and heritage, negating the idea of a Jewish state of any intrinsic value.³⁹²

³⁸⁵ Rivlin, R., *President Rivlin Hosts Regional and Municipal Heads of Communities in Judea and Samaria*, Private email exchange, August 24th, 2015

³⁸⁶ Ibid

³⁸⁷ Halperin, E., Oren, N., & Bar-Tal, D., *Socio-Psychological Barriers to Resolving the Israeli-Palestinian Conflict: An Analysis of Jewish Israeli Society*, in Bar-Simon-Tov, Y (ed)., *Barriers to Peace in the Israeli-Palestinian Conflict*, http://www.kas.de/wf/doc/kas_22213-1522-2-30.pdf?110316110504, 2010, pp. 33-34

³⁸⁸ Bennett, N., in Sherwood, H., *Naftali Bennett Interview: “There won’t be a Palestinian State within Israel,”* <http://www.theguardian.com/world/2013/jan/07/naftali-bennett-interview-jewish-home>, January 7th, 2013

³⁸⁹ See 384

³⁹⁰ Strickland, P., *Palestinians Targeted by ‘Surge’ of Settler Violence*, <http://www.aljazeera.com/indepth/features/2015/10/palestinians-targeted-surge-settler-violence-151005094440784.html>, October 5th, 2014

³⁹¹ B’Tselem., *Settler Violence: Lack of Accountability*, http://www.btselem.org/settler_violence/law_enforcement, January 23rd, 2013

³⁹² Glick, C., *The Israeli Solution*, Crown Forum, U.S.A., 2014, pp. 119

Glick's latest book, *The Israeli Solution*, is a populist manifesto steeped in pro-Israel and anti-Palestinian rhetoric and brushes across a host of major issues fundamental to the conflict. For instance, Glick argues the Israeli occupation of Jerusalem, Judea and Samaria was an economic and civil rights "boon" for Palestinians.³⁹³ And that the PA had purposefully refrained from developing functional social institutions to build the "most widespread and sophisticated terrorist infrastructure in the world (own emphasis)."³⁹⁴ More disconcertingly, Glick spends a mere two pages justifying the exclusion of Gaza in this one state formula; on the basis Israel has no legal obligations to its citizens since its disengagement in 2005, (despite legal scholars contradicting this view³⁹⁵), and the fact it secures a Jewish majority.³⁹⁶

The book, in essence, is one of the first major academic attempts to naturalise a growing cultural tendency towards annexation of the West Bank. Popularity for the idea is easily located at the grassroots, civil and political levels in Israel. A survey conducted by Tel Aviv's University's monthly Peace Index in 2014 found the Israeli public were largely split on the idea of annexation, with 49% opposing and 43% in favour. More tellingly, those on right of the political spectrum were overwhelming in favour of the idea with 55% in comparison to only 21% with those who identified as on the left.³⁹⁷ NGOs such as the Women in Green are also found in the West Bank who to advance "a grassroots, apolitical, historical initiative to re-apply Israeli sovereignty over Judea and Samaria."³⁹⁸ Finally, the idea has even been seriously debated in the Knesset, with Netanyahu boasting he has the support of both the political left and right in Israel to go ahead with annexation.³⁹⁹

These societal developments have raised suspicion amongst Palestinians on the ground and initiated the switch in discourse from nationalism to human rights. For the average Palestinian on the street, the two-state solution is beyond saving because of the settlement expansion, and the will of settlers to continue this practise as a religious and historical right. However, there is a brutal realism that the one-state is also not a viable option either, since its very conception

³⁹³ Ibid, pp. 112

³⁹⁴ Ibid, pp. 6

³⁹⁵ Stephanopoulos, N., *Israel's Legal Obligations to Gaza After the Pullout*, The Yale Journal of International Law, vol. 31:513, 2006, pp. 524-528

³⁹⁶ See 391, pp. 133-135

³⁹⁷ Yaar, E., & Hermann, T., *Peace Index Column*, http://en.idi.org.il/media/3204164/Peace_Index_May_%202014-Eng.pdf, May 2014

³⁹⁸ WIG., <http://www.womeningreen.org/>, accessed (7/3/16)

³⁹⁹ Guzman, T., "Greater Israel" and the "Disappearance" of Palestine: Israel is Considering the Annexation of the West Bank Territories, <http://www.globalresearch.ca/greater-israel-and-the-disappearance-of-palestine-israel-is-considering-the-annexation-of-the-west-bank-territories/5383702>, May 24th, 2014

completely contradicts the objectives of Israeli policy since 1948. That is, to acquire as much land as possible, with at least Arabs as possible. Palestinians view the growing consensus and calls for Israel to annex either Area C or the entirety of the West Bank in Israeli society as extremely worrying and it explains their discursive shift to human rights.⁴⁰⁰ Qawasmeh highlighted the experience of Israel's Palestinian residents as justification for this change in tactic.

"The status of Palestinians inside of Israel is not an example for Palestinians here in the West Bank are striving to. Yes, they have some provisions in terms of national health insurance but these things are minimal in terms of what the Israelis have."

These sentiments are well founded when compared to various polls and statistics which reveal the entrenched racism towards Arabs in a disturbingly large proportion of the population, especially the younger generation.⁴⁰¹ Along with the INSS poll early this year, which revealed only 20% of Israelis consider Arab Israelis equal,⁴⁰² other human rights NGO polls conducted in 2012 found a staggering 69% of people objected to the idea of Israel granting voting rights to 2.5 million people if they were to annex the territory.⁴⁰³ Similarly, pressed on the unequal application of the law in the occupied territories, 50% of 600 respondents thought the practise was justified. In the same poll, 66% of Jews did not disagree with the claim that the continuation of the occupation compromises Israel's status as a democracy.⁴⁰⁴

The level of prejudice and inequality reflected in these statistics illustrate how structural and cultural forms of violence are entrenched within the average Israeli mind-set. The need to maintain the overall structure of the present Israeli regime, if it is transferred to the West Bank, is indicative a societal acceptance of unequal forms of treatment as standard and reveals the desire to preserve it when susceptible to what is commonly referred to as the demographic threat. "When the structure is threatened, those who benefit from structural violence...will try

⁴⁰⁰ Qawasmeh, H., Interview, 15/8/15

⁴⁰¹ Blumenthal, M., in TheRealNews.com., *Gideon Levy: Americans "Are Supporting the First Signs of Fascism in Israel,"* http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=15951, 22nd March, 2016

⁴⁰² INSS., as quoted in JTA., *Only 20% of Jewish Israelis See Arab Citizens as 'Equals,'* <http://www.timesofisrael.com/poll-only-20-of-jewish-israelis-see-arab-citizens-as-equals/>, January 20th, 2016

⁴⁰³ AAHR., *2012 Israeli Jewish Public Opinion Info Sheet*, <https://arabhra.files.wordpress.com/2012/11/2012-israeli-jewish-public-opinion-info-sheet.pdf>, September 2012

⁴⁰⁴ Yaar, E., & Hermann, T., *Peace Index*, http://en.idi.org.il/media/4381185/Peace_Index_January_2016-Eng.pdf, January 2016

to preserve the status quo so well geared to protect their interests.”⁴⁰⁵ The Palestinian attempt to achieve human and civil rights, therefore, stems from a recognition that they are universal, and as such are applicable to any future solution whether it be one or two states.⁴⁰⁶

5.2 Politics and Society

The expansion of settlements and the dwindling possibility of a two-state solution due to a lack of political will has coincided with a distinctive shift towards the far right in Israeli politics. Victory in last year’s Israeli election for Netanyahu’s Likud party was secured via a coalition with several centre to right wing parties: The Jewish Home, United Torah Judaism, Kulanu, and Shas. In the wake of this coalition, almost 80% of the Palestinian public are pessimistic about future Israeli-Palestinian relations.⁴⁰⁷ This pessimism is not misplaced given the formation of this coalition shows a recurring trend of dominance for the political right, alongside the soft-right parties that have drifted from the centre.”⁴⁰⁸ Shindler traces the origins of this contemporary shift towards the right to the election of Meir Kahane’s Koch party to the Knesset in 1984. Staunchly racist and undemocratic in its rhetoric, the party fully endorsed annexing the occupied territories and was one of many similar parties that had emerged as an angry reaction to the perceived treachery of the Israeli leaders at the Camp David Accords in 1978. Other far-right parties which emerged during the decade sprung from both the dominant Likud and Labour parties, which traditionally represented opposite ends of the political spectrum. The slow emerging influence of these far right parties began to atomise the dominance of the two party system, forcing both Likud and Labour to negotiate and forge ties with them.⁴⁰⁹

The importance of this development to the following thesis lay within its ability to explain how a series of right-wing led Likud governments have been able to continue the development of settlements, despite evidence suggesting a large proportion of Jewish Israelis are not in favour of them ideologically.⁴¹⁰ This anomaly represents part of a political trade-off between voters and leaders. The predominant wish to exit the quagmire Israel had driven itself into with the

⁴⁰⁵ Galtung, J., *Violence, Peace, and Peace Research*, Journal of Peace Research, Vol. 6, No. 3, 1969, pp. 171

⁴⁰⁶ Sheizaf, N., *One- or Two State Solution? The Answer is Both(or Neither)*, <http://972mag.com/one-or-two-state-solution-the-answer-is-both-or-neither/96263/>, September 2nd, 2014

⁴⁰⁷ PCPSR., *Press Release*, <http://www.pcpsr.org/en/node/609>, June 9th, 2015

⁴⁰⁸ Salsey, B., *Israel’s Right Turn*, <https://www.foreignaffairs.com/articles/israel/2015-03-24/israels-right-turn>, March 24, 2015

⁴⁰⁹ Shindler, C., *The Rise of the Israeli Right: From Odessa to Hebron*, Clays Ltd, Great Britain, 2015, pp. 330-33

⁴¹⁰ Ibid, pp. 334

Palestinians took a backseat, as protection and security became the electorate's main focus. As a consequence,

"A plethora of Israeli parties which deeply believed in the ongoing Jewish settlement of the West Bank were elected by an electorate which did not, but regarded it as the price to pay for security and protection."⁴¹¹

The settlement enterprise should not be attributed solely to Likud and political figures like Netanyahu, however, since their expansion actually accelerated under the liberal governments headed by Barak and, hypocritically, the Oslo Prime Minister Rabin. They "reflect something deeper and more durable in Israeli politics."⁴¹² For those who comprise most of the splinter far-right parties, the settlements embody a national and religious quest to repopulate and reacquire long lost biblical territory, which God promised to the Hebrews. The acquisition of Judea and Samaria are not simply for their own sake, but the fulfilment of an ancient dream."⁴¹³ It would be unfair also to categorise all settlers in this nationalist religious bracket, since most are actually attracted to the settlements for pragmatic financial reasons. The road systems in the West Bank, discussed previously, connect generously subsidized housing to most workplaces in Israel.⁴¹⁴ Nevertheless, both sets of settlers, along with Israeli society at large, vindicate Shindler's depiction of the settlement enterprise as a political trade off with the far right, since 42% of Jews consider them helpful to Israel's security while only 30% thought they were unhelpful. Moreover, highlighting the trend in far-right religious nationalism, 62% of those who agreed the settlements offered security, identified as being ideologically on the right.⁴¹⁵

This trend to see the settlements as the price for securing Israel has huge implications on Israeli political discourse. In an interview with the Israeli news channel NRG, as part of the run up to the snap election last year, Netanyahu appealed to right wing voters by ruling out any possibility of a Palestinian state."⁴¹⁶ Justifying his position, he argued,

⁴¹¹ Ibid,

⁴¹² Tilley, V., *The One-State Solution: A Breakthrough for Peace in the Israeli-Palestinian Deadlock*, University of Michigan Press, Michigan, 2005, pp. 34

⁴¹³ Ibid, pp. 56

⁴¹⁴ Ibid, pp. 34

⁴¹⁵ Pew Research Centre., *Israel's Religiously Divided Society*, <http://www.pewforum.org/2016/03/08/israels-religiously-divided-society/>, March 8th, 2016

⁴¹⁶ Netanyahu, B., *Netanyahu: No Palestinian State on my Watch*, <http://www.timesofisrael.com/netanyahu-no-palestinian-state-under-my-watch/>, March 16th, 2015

“I think that anyone who goes to create today a Palestinian state and turns over land, is turning over land that will be used as a launching ground for attacks by Islamist extremists against the state of Israel.”⁴¹⁷

Almost immediately after Netanyahu took office, he reneged on these comments, as President Obama threatened to reassess Washington’s relationship with Israel if it was not committed to the two-state solution.⁴¹⁸ What is revealing about Netanyahu’s backtracking is how the settlement enterprise, the threat of a Palestinian state, and security are all malleable enough to generate political points during elections. Alongside the religious nationalist quest to settle the land of Judea and Samaria as a fulfilment of God’s promise, and the majority of Israelis viewing the maintenance of a Jewish majority as prerequisite to the survival of Israel, the ability to use the internationally agreed solution to the entire conflict as a tool to swing voters represent gross manifestations of cultural violence.

Galtung contends cultural violence is exhibited when religious, ideological, and linguistic justifications are employed to substantiate direct and structural forms of violence.⁴¹⁹ It “highlights the way in which the act of direct violence and the fact of structural violence are legitimized and thus rendered acceptable in society.”⁴²⁰ Nowhere is this more clearly manifested than in Jerusalem’s old city, where Palestinians are prevented from passing through the metal detectors with any metal objects, whilst Israeli settlers pass unopposed with their firearms.⁴²¹ The right of return presents another blatant example. Despite academic evidence confirming the Palestinian narrative that they were expunged from their lands in 1948,⁴²² and the right of return being encapsulated by UNGA Resolution 194, the very notion of the refugees and their decedents resettling in the land of Israel, Gaza or the West Bank remains a completely taboo subject in Jewish-Israeli society.⁴²³ Theoretically, if all 5 million of the diaspora were to return, added to the 1.6 million Israeli-Arabs, they would outnumber Israel’s 6.5 million Jews in Israel and the West Bank. And this is before the 4 million Palestinians in the occupied

⁴¹⁷ Netanyahu, B., as quoted by AIJAC., *What did Netanyahu Really Say About a Palestinian State?*, <http://aijac.org.au/news/article/what-did-netanyahu-really-say-about-a-palestina>, March 18th, 2015

⁴¹⁸ The Guardian., *Netanyahu Backs Off From Pre-Election Stance Ruling Out Palestinian State*, <http://www.theguardian.com/world/2015/mar/19/binyamin-netanyahu-israel-palestine-two-state-solution>, March 19th, 2015

⁴¹⁹ Galtung, J., *Cultural Violence*, Journal of Peace Research, Vol. 27, no. 3, 1990, pp. 291

⁴²⁰ Ibid, pp. 292

⁴²¹ Abd Elrahim, A., *Lack of Security for Palestinians*, Palestine-Israel Journal of Politics, Economics and Culture, Vol. 21, No. 5, 2015

⁴²² See Pappe, I., *The Ethnic Cleaning of Palestine*, Oneworld, UK, 2006

⁴²³ Etkes, D., Interview, 5/7/15

territories are considered. The possible return of some 5 million Palestinians, descended from the original 700,000 refugees over the years, represents a severe existential threat to how Israeli Jews perceive the state of Israel:

“If you stop an ordinary Israeli on the street in Tel Aviv, and ask him, ‘What does it mean to you, in a completely, peaceful, non-violent way, 51% of Israel will be Arabs?’, then they will reply ‘this is a total disaster.’ It means Israel has ceased to exist. That is part of fundamental ideology in which Israel was created; Zionism.”⁴²⁴

This attitude is easily located in Israel’s academic and social policy institutions:

“The main demographic challenge of the state of Israel as the core state of the Jewish people is to **preserve a clear and undisputed majority among the state’s population. This is a critical prerequisite to Israel’s future existence as a Jewish and democratic state** (*original emphasis*).”⁴²⁵

Similarly, in relation to the right of Jews to return to Israel, the marginalisation this policy creates is habituated by the overarching social norm to consider fellow Jews as a natural collective and more akin to one another than with Arabs. This notion extends to Jews in other parts of the world who are not yet citizens of Israel; creating a social paradox where one is supposed to feel a more meaningful connection with someone they have never met than with Arabs they share a state with. Aviv Tartarsky, a researcher for the NGO, Ir Amim, sums up this anomaly in the following:

“I was born in Haifa, am living in Haifa and sharing the city with a large Palestinian population. I am supposed to feel more connected to a Jew from abroad than to the Palestinians living in Haifa in the neighbourhood right next to me. This is something very problematic, and this is the way we are raised in Jewish society, the way we are educated. And to say that Israel will be a Jewish state and will not be discriminatory, especially when there is a very big Arab population in Israel? The sentiment is: “We must take care that the Galilee has to be Jewish, and Haifa has to be Jewish and the Negev has to be Jewish, and of course, Jerusalem has to be Jewish.”⁴²⁶

One other irregularity enshrined in this pattern of thought is the assumption that when a Jew visits the country for the first time they are automatically considered as returning home. This

⁴²⁴ Keller, A., Interview, 2/9/15

⁴²⁵ Della Pergola, S., *Jewish Demographic Policies: Population Trends and Options in Israel and in the Diaspora*, jppi.org.il/, 2011, pp. 17

⁴²⁶ Tatarsky, A. as quoted in *Roundtable Discussion: Religion and the Conflict*, Palestine-Israel Journal of Politics, Economics, and Culture (PIJ), Vol 20/21, Issue 4/1, 2015, pp. 137-8

peculiar idiosyncrasy is “very much connected to the religious-nationalist abnormality” of Israel.⁴²⁷ The rejection of a two-state or any compromise on dividing the land thus emanates from two socio-psychological sources. The first is a religious-national justification which synthesises both dogmatic and national-historical narratives, whilst the other is based in existential security perceptions.⁴²⁸

Peled-Elhanan’s study into the representation of Palestine in Israeli school books traces the early and widespread dissemination of these justifications and sheds further light on the innate forms of cultural violence in mainstream religious, ideological and nationalist discourses. The objective of these Israeli-Zionist meta-narratives is “to create a homogenous identity to all the Jewish ethnicities in Israel, while attempting to erase – both physically and spiritually – traces of a continuous Palestinian life on the land.”⁴²⁹ Despite evidence to the contrary, Palestinian school books are often charged with promoting violence against Jews and failing to recognise Israel.⁴³⁰ However, Peled-Elhanan demonstrates Israeli school books provide the starting point by which the idea of Israel as the state of the Jews, and not its residual citizens, is cemented into mainstream political and socio-cultural discourses. Repeating this interpretation and moulding it to suit a particular historical narrative, in turn, constructs a ‘usable past’ that justifies the Israeli version of events and delegitimizes that of the significant other; encapsulated by the infamous mantra: “A land without a people for a people without a land.” “This narrative includes both the denial of 2000 years of Jewish life in ‘exile’ and the denial of any meaningful life in Palestine during the same period.”⁴³¹ It assimilates cohesively with the Zionist creed “know your homeland;” forming a deeply engrained meta-narrative which dictates the forgetting of the last 2000 of habitation on the land and “seeing present Jewish life in Israel as a direct continuation of the biblical kingdom of Judea.”⁴³² Once this message is comprehended at a societal level, it translates into the patterns of thought Tatarsky highlights;

⁴²⁷ Ibid

⁴²⁸ Halperin, E., Oren, N., & Bar-Tal, D., *Socio-Psychological Barriers to Resolving the Israeli-Palestinian Conflict: An Analysis of Jewish Israeli Society*, in Bar-Simon-Tov, Y (ed)., *Barriers to Peace in the Israeli-Palestinian Conflict*, http://www.kas.de/wf/doc/kas_22213-1522-2-30.pdf?110316110504, 2010, pp. 31

⁴²⁹ Peled-Elhanan, N., *Palestine in Israeli School Books: Ideology and Propaganda in Education*, I.B. Tauris & Co. Ltd, London, 2012, pp. 15

⁴³⁰ Groiss, A., *Of the Israeli/Palestinian Schoolbook Research Project Commissioned by The Council of Religious Institutions of the Holy Land (CRIHL)*, <http://israelbehindthenews.com/library/pdfs/EVALUATIO1-1.pdf>, April, 2013

⁴³¹ Peled-Elhanan, N., *Palestine in Israeli School Books: Ideology and Propaganda in Education*, I.B. Tauris & Co. Ltd, London, 2012, pp. 4

⁴³² Ibid, pp. 9

whereby, Jews are automatically thought to share a more infinite attachment to one another than to others of different ethnicities, purely on the basis of their shared Jewishness.

The naturalisation of these narratives enables politicians and policymakers in the Knesset to commit forms of cultural violence with little to no opposition. For instance, the *Nakba Law*, enacted in 2011, which permits the Israeli Finance Minister to reduce or halt funding to state institutions which refuse to recognise Israel as a “Jewish and Democratic State,” or commemorate its independence day.⁴³³ This amendment to Israel’s Budgets Foundations Law has been dubbed the *Nakba Law* since it is seen as an attempt to silence the Palestinian version of history, whereby Israeli Independence Day is simultaneously marked by Arab mourning for the *Nakba*. Effectively, the law silences an important version of Palestinian history, perpetuating the cultural divide between Jews and Arabs. In 2012, Israel’s High Court rejected a petition, compiled by both Arabs and Jews rejecting the law, “citing the absence of the concrete factual foundation necessary to back the claims raised in the petition.”⁴³⁴ In accordance with Galtung, this blatant form of structural violence stems from a deep-seeded cultural violence, since what underlines this policy is an Israeli fear “that admitting the *Nakba* will destroy Israel as Jewish state...and give Palestinian citizens reason to rebel.”⁴³⁵

The *Nakba Law* is but only one recent example of a whole strategy to extend the cultural and social chasm between Arab and Jewish youth; an issue which social commentators fear as the infiltration of Jewish fundamentalism into the Israeli school system.⁴³⁶ Considering most Israeli Jews are deprived of any meaningful contact with Palestinians, their perception of them is mostly formulated from school books, which, for the most part, represent them as nothing more than terrorists and a demographic threat; stripping an entire people of any redeeming or humanizing qualities. In turn, this begets “ignorance and hostility,”⁴³⁷ exemplified by the fact half of Israeli high school students reportedly oppose equal rights for their Arab counterparts.⁴³⁸ The wider implication of this cultural tendency to negate the Palestinian experience and portray

⁴³³ Adalah.org., “*Nakba Law*” – Amendment No. 40 to the Budgets Foundations Law, <http://www.adalah.org/en/law/view/496>, accessed (10/3/2016)

⁴³⁴ Khoury, J., *High Court Rejects Petition Against Israel’s Controversial ‘Nakba Law,’* <http://www.haaretz.com/israel-news/high-court-rejects-petition-against-israel-s-controversial-nakba-law-1.405636>, January 5th, 2012

⁴³⁵ Peled-Elhanan, N., *Palestine in Israeli School Books: Ideology and Propaganda in Education*, I.B. Tauris & Co. Ltd, London, 2012, pp. 16

⁴³⁶ Heilmann, S., *Jewish Fundamentalism is Beginning to Infect Israeli Schools*, <http://www.haaretz.com/opinion/.premium-1.704570>, February 22nd, 2016

⁴³⁷ Ibid, pp. 98

⁴³⁸ Kashti, O., *Poll: Half of Israeli High Schoolers Oppose Equal Rights for Arabs*, <http://www.haaretz.com/poll-half-of-israeli-high-schoolers-oppose-equal-rights-for-arabs-1.264564>, March 11th, 2010

them as inherently violent subjects through the use of school books, is that most Israeli high school students will then carry these prejudices with them into the military when they are drafted for their national service upon graduation. Testimonies from former IDF soldiers attest to these xenophobic attitudes being translated into dehumanizing actions. A former First Sergeant of the Kfir Brigade, for instance, describes how Palestinians were purposefully humiliated whilst in custody:

“An Arab was taken to the bathroom to piss, and a soldier slapped him, took him down to the ground while he was shackled and blindfolded. The guy wasn't rude and did nothing to provoke any hatred or nerves. Just like that, because he is an Arab. He was about 15 years old, hadn't done a thing.”⁴³⁹

Another from a more recent collection of testimonies after Operation Protective Edge illustrates the culmination of Israeli political and educational culture of the past 30 years, which have bred an easily exploitable racist attitude.

“As opposed to previous operations, you could feel there was a radicalization in the way the whole thing was conducted. The discourse was extremely right-wing. The military obviously has very clear enemies – the Arabs, Hamas. There is this rigid dichotomy. There are those involved [Palestinians involved in the fighting] and those uninvolved, and that's it. But the very fact that they're described as 'uninvolved', rather than as civilians, and the desensitization to the surging number of dead on the Palestinian side – and it doesn't matter whether they're involved or not – the unfathomable number of dead on one of the sides, the unimaginable level of destruction, the way militant cells and people were regarded as targets and not as living beings – that's something that troubles me. The discourse is racist. The discourse is nationalistic. The discourse is anti-leftist. It was an atmosphere that really, really scared me. And it was really felt, while we were inside. During the operation it gets radicalized. I was at the base, and some clerk says to me, “Yeah, give it to them, kill them all.” And you say to yourself, ‘Whatever, they're just kids, it's just talk’ – but they're talking that way because someone allowed them to talk that way. If that clerk was the only one saying it, I'd write her off – but when everyone starts talking like that...”⁴⁴⁰

The military thus becomes a legitimate platform in which to physically activate culturally constructed prejudices in the name of protecting Israel and even works “in tandem with the

⁴³⁹ Breaking the Silence., *Children and Youth – Soldier's Testimonies 2005-2011*, http://www.breakingthesilence.org.il/wp-content/uploads/2012/08/Children_and_Youth_Soldiers_Testimonies_2005_2011_Eng.pdf, accessed (11/03/2016), pp. 18

⁴⁴⁰ Breaking the Silence., *This is How We Thought in Gaza*, <http://www.breakingthesilence.org.il/pdf/ProtectiveEdge.pdf>, 2014, pp. 162-163

institutionalised culture of impunity that accepts the violent disciplining...of Palestinian children.”⁴⁴¹ But in essence, what is being protected is not the state itself, but the very foundations of a structure which benefits one group at the expense of another. For as a people in their own right, the Palestinians pose a threat to the Jewish character of Israel, and “when the structure is threatened, those who benefit from structural violence...will try to preserve the status quo so well geared to protect their interests.”⁴⁴² As journalist Amira Hass writes,

“The Palestinians are fighting for their lives, in the full sense of the words. We the Israelis are fighting for our privilege as a nation of masters, in the full ugliness of the term.”⁴⁴³

5.3 Discourse Analysis

The ‘guilty by association’ depiction of Palestinians as terrorists is further propagated by the mainstream media in Israel, which along with the dominant meta-narratives justifying the current status quo,⁴⁴⁴ create legitimate space for Israeli politicians to publically demonize and dehumanize Arabs with little consequence. Performing a political discourse analysis on the Israeli coverage on the current waves of stabbings and sporadic attacks, which have occurred throughout Israel and the West Bank since September 2015 and continue at the time of writing, elucidate the corporeality of ethnic and racist bias in the media’s coverage during this spate of violent confrontations. To date, figures from various sources are unclear on the exact number of casualties and injuries on each side given the violence has yet to dissipate. The Israeli Ministry of Foreign Affairs claims 34 people have been killed and 394 injured, as a result of stabbings, shootings and vehicle rammings since September 13th.⁴⁴⁵ However these figures overlook IDF and Israeli violence, since the UN reported 69 Palestinian fatalities and 7,392 injuries resulting from direct conflict in October 2015 alone.⁴⁴⁶ Both Palestinians and Israelis have taken part in the violence as it has gradually spiralled out of control. The media reports the reciprocal nature of the violence, but its portrayal in Israel is overtly biased. In regards to the purposes of this

⁴⁴¹ Joronen, M., *Politics of Precarious Childhood: Ill Treatment of Palestinian Children under the Israeli Military Order*, Geopolitics, Vol. 21, No. 1, 2016, pp. 92

⁴⁴² Galtung, J., *Violence, Peace, and Peace Research*, Journal of Peace Research, Vol. 6, No. 3, 1969, pp. 179

⁴⁴³ Hass, A., *Palestinians are Fighting for their Lives; Israel is Fighting for the Occupation*, <http://www.haaretz.com/opinion/.premium-1.679129>, October 7th, 2015

⁴⁴⁴ Halperin, E., Oren, N., & Bar-Tal, D., *Socio-Psychological Barriers to Resolving the Israeli-Palestinian Conflict: An Analysis of Jewish Israeli Society*, in Bar-Simon-Tov, Y (ed)., *Barriers to Peace in the Israeli-Palestinian Conflict*, http://www.kas.de/wf/doc/kas_22213-1522-2-30.pdf?110316110504, 2010, pp. 49

⁴⁴⁵ Ministry of Foreign Affairs., *Wave of Terror 2015/2016*, <http://mfa.gov.il/MFA/ForeignPolicy/Terrorism/Palestinian/Pages/Wave-of-terror-October-2015.aspx>, March 9th, 2016

⁴⁴⁶ OCHA., *Humanitarian Bulletin Monthly Report*, https://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_11_10_english.pdf, October 2015

thesis, a brief discourse analysis unravels the nature of this reporting to expose the prevailing social prejudices which are considered the norm.

As discussed earlier, the methodology of political discourse analysis is primarily concerned with the interrelations between discourse, power, dominance and social equality.⁴⁴⁷ It aims to provide “a detailed description, explanation, and critique of the textual strategies writers use to ‘naturalise’ discourses” to make them “appear to be common sense, apolitical statements.”⁴⁴⁸ A major aspect of this method is examining how racism is produced and reproduced through discourse.⁴⁴⁹ Obviously, an in-depth, detailed analysis is beyond the scope for the remainder of this thesis, but it is possible to present a sample of mainstream journalism covering the current wave of violence to disclose how overt forms of prejudice are readily dispersed through the media. Below is a table which formed a prominent visual fixture as part of Ynetnews.com’s story relating to the unfolding violence on the 9th October 2015.⁴⁵⁰

The Terror Continues	
- 9.10.15 -	
01:00 AM	Attempted lynch against Arabs in Netanya
09:23 AM	Jewish man stabs 4 Arabs in Dimona and is arrested
12:18 AM	16-year-old stabbed in Jerusalem
12:37 AM	Terrorist stabs a police officer in Kiryat Arba, attempts to steal gun and is shot
01:36 PM	Female terrorist attempts to stab security guard in Afula, and is shot
02:31 PM	Riot breaks out near Ma'ale Adumim
03:32 PM	5 Palestinians killed by IDF fire in riots on Gaza border fence

⁴⁴⁷ Van Dijk, T., *Principles of Critical Discourse Analysis*, Discourse & Society, Vol. 4(2), 1993, pp. 249

⁴⁴⁸ Van Dijk, T., as quoted in Higgins, S (ed)., *The Rhetoric of Othering*, as part of *The Language and Politics of Exclusion: Others in Discourse*, Thousand Oaks, London, 1997, pp. 2

⁴⁴⁹ Van Dijk, T., *Political Discourse and Racism: Describing Others in Western Parliaments*, in Ibid, pp. 31

⁴⁵⁰ Yanovsky, R., Freidson, Y., Kimon, E., Levy, E., Raved, A., *Several Wounded as Attacks Continue Across Israel*, <http://www.ynetnews.com/articles/0,7340,L-4708934,00.html>, October 9th, 2015

The assimilation of Arabs with terrorism in Peled-Elhanan's study of Israeli school books is unapologetically evident in this visual fixture. A distinct lack of subtlety in the Orientalising overtones associating Arabs with acts of terror parallel attempts to exonerate or humanize Jewish acts of violence. The most discernible evidence is the first two rows which refer to Jewish violence towards Arabs. In neither case is the Jew(s) in question referred to as a terrorist. Rather, they are categorised purely by their ethnicity, humanizing their actions. In the first row, the author refrains from using the term "Jews" to disassociate the act of Arab lynching with Jewish perpetrators. Furthermore, the verb "attempted" is employed to downplay and understate the severity and brutality of the act of violence. Arab acts of violence on the other hand, are presented more straightforward with affirmative verbs like "stab" and "steal." In the second row, the verb "stab" is also used to report Jewish violence, but the difference lies with the denominating term "man," used to humanize the crime, whilst Arabs are only referred to by their ethnicity when the victims, but are simply labelled "terrorist" when perpetrating. Another interesting aspect of the fixture is its allusion to separate policing practises for Arabs and Jews. Clear structural differences between how both ethnicities are policed are apparent from the fixture. The Jew responsible for stabbing 4 Arabs at 9:23 am was "arrested," whilst the "female terrorist" attempting to stab a security guard at 1:36 pm was "shot." Considered alongside each other, the two incidents illustrate the clear imbalance in law enforcement. From a discourse analysis perspective, the nonchalant manner in how this is reported naturalises an ethnic disparity in the state's monopoly on violence. Lastly, the final act of terror reported at 3:32 pm refers to "Palestinians" killed by IDF soldiers in Gaza. The use of the term "Palestinians" instead of Arabs is a reference to the 2005 disengagement of Gaza, and reflects the governmental and societal attitude that the territory is no longer the responsibility of Israel. All the crimes and attacks inside Israel and the West Bank, on the other hand, employ the term Arab to prevent any legitimization of Palestinian nationalism with the land. It represents a naturalised manifestation within mainstream culture of the Israeli government's continued policy to refrain from recognising a Palestinian people.⁴⁵¹

This single sample of Israeli journalism by no means represents an exhaustive study into the intricacies of Israeli racial discourse, but considering Ynetnews is the English online version of Israel's most popular newspaper, Yedioth Ahronoth, it provides an invaluable glimpse into the standard representation of events for the average Jewish Israeli. Analysed alongside the

⁴⁵¹ Gild, E., *What Israelis Call Palestinians and Why it Matters*, <http://www.haaretz.com/israel-news/premium-1.687147>, November 19th, 2015

stereotypes disseminated throughout Israeli schoolbooks, and the prevailing attitudes amongst Israelis towards their Arab counterparts, in addition to the various forms of cultural violence exercised throughout the state and the occupied territories, these phenomena, as a collective, amalgamate to create a political environment where it is culturally acceptable to publically dehumanize Palestinians to mainstream audiences. Chomsky refers to this as the “manufacturing of consent.” The process by which the political class instil the required beliefs by infiltrating the media, schools, and popular culture.⁴⁵² Naftali Bennet, for instance, previously referred to Palestinians as “monkeys” who were living in trees while the Jews had their own state.⁴⁵³ Minister for Justice, Ayelet Shaked, has previously been accused of inciting genocide⁴⁵⁴ for her remark that the “entire Palestinian people are the enemy” during the 2014 assault on Gaza, as well as posting controversial articles comparing Palestinian children to snakes on her Facebook page in July 2015. What is most notable about the post is the stereotype of Palestinians being naturally affinitive towards terrorism purely from being born to a Palestinian mother:

“They are all enemy combatants, and their blood shall be on all their heads. Now this also includes the mothers of the martyrs, who send them to hell with flowers and kisses. They should follow their sons, nothing would be more just. They should go, as should the physical homes in which they raised the snakes. Otherwise, more little snakes will be raised there.”⁴⁵⁵

In reaction to images of an unarmed Palestinian mother wrestling her young son from the arms of an IDF soldier trying to arrest him in Nabi Selah the West Bank, cultural minister, Miri Regev, called for measures to allow soldiers to retaliate with gunfire.⁴⁵⁶ In a statement also written on her Facebook page, she stated, “Anyone who tries to harm Israeli civil groups and

⁴⁵² Chomsky, N., *Media Control: The Speculator Achievements of Propaganda*, Seven Stories Press, New York, 1991, pp. 18

⁴⁵³ Sheizaf, N., *Right Wing Leader Bennet: ‘When Palestinians were Climbing Trees, We Already had a Jewish State*, <http://972mag.com/right-wing-leader-bennett-when-palestinians-were-climbing-trees-we-already-had-a-jewish-state/63157/>, January 1st, 2013

⁴⁵⁴ Abunimah, A., *Israeli Law Maker’s Call for Genocide of Palestinians gets Thousands of Facebook Likes*, <https://electronicintifada.net/blogs/ali-abunimah/israeli-lawmakers-call-genocide-palestinians-gets-thousands-facebook-likes>, 7th July, 2014

⁴⁵⁵ Abunimah, A., *Israeli Law Maker’s Call for Genocide of Palestinians Gets Thousands of Facebook Likes*, <https://electronicintifada.net/blogs/ali-abunimah/israeli-lawmakers-call-genocide-palestinians-gets-thousands-facebook-likes>, July 7th, 2014. The original status was deleted by Shaked however, Abunimah’s article attaches a copy of the original post in Hebrew.

⁴⁵⁶ Deger, A., & Weiss, P., *Israeli Minister Says IDF Should Have Fired on Unarmed Palestinian Protestors for Humiliating Soldier*, <http://mondoweiss.net/2015/08/soldiers-protesters-occupied/>, August 30th, 2015

the IDF should know his blood is in his head.”⁴⁵⁷ Moreover, Regev previously referred to African migrants in Israel as a “cancer,” only to sarcastically renege on these comments by apologising for comparing Africans to humans.⁴⁵⁸ Knesset MP, Moshe Feiglin, was also quoted in *The Atlantic* as saying non-Jews have no say in the policy of the Jewish state. In the same interview, Feiglin stated, “You can’t teach a monkey to speak and you can’t teach an Arab to be democratic.”⁴⁵⁹ In addition, former head of Israel’s National Security Council, Giora Eiland, wrote an article for Ynetnews.com entitled *In Gaza, There is no such Thing as ‘Innocent Civilians’*.⁴⁶⁰ Prominent religious leaders pay homage to this line of thinking, with Rabbi Dov Lior posting a Halakhic ruling authorising the killing of civilians during the latest Gaza war.⁴⁶¹ Potentially contributing to the IDF’s disturbing pattern of extra judicial killings during recent confrontations,⁴⁶² Chief Rabbi Yitzhak Yosef decreed the Torah commands Jews to kill any knife wielding terrorists.⁴⁶³ Prime Minister Netanyahu is not shy in resorting to such incendiary rhetoric. While on tour in Jordan in February of this year, the Prime Minister stated his intentions to surround the entirety of Israel with a security fence to protect it from “wild beasts.”⁴⁶⁴ Netanyahu went so as far as to publically contradict his own IDF intelligence chief to uphold the cultural conflation between terrorist and Palestinian concerning the recent violent outbreaks. Head of Military Intelligence, Major General Halevi, said feelings of rage and frustration explained the terror attacks. Netanyahu, however, not only refuted this view outright but eradicated any reasonable rationale behind the acts of terror and equated them purely with

⁴⁵⁷ Regev, M.,

<https://www.facebook.com/miri.regev.il/photos/a.538483556248464.1073741833.118410851589072/861873283909488/?type=1&theater>, August 30th, 2015, חייל מכות פלסטיניות של הסרטון את הבוקר לראות הזדעזעתי, הגב מאחורי קשורות ידיים עם למשימות ישלחו שלנו שהחיללים יתכן לא. ל"צה נקודה אש להשיב רשאי שמוקק שחייל מיד לקבוע צריך. בראשו שדמו לדעת צריך ל"צה ובחיילי ישראל מידי באופן באש הפתיחה נהלי את ולשנות להשפלה סוף לשים הביטחון לשר קוראת אני!

⁴⁵⁸ Abunimah, A., *Israeli Law Maker Miri Regev: "Heaven Forbid" We Compare Africans to Humans*, <https://electronicintifada.net/blogs/ali-abunimah/israeli-lawmaker-miri-regev-heaven-forbid-we-compare-africans-human-beings>, May 31st, 2015

⁴⁵⁹ Feiglin, M., in Goldberg, J., *What the Likud's 14th Ranked Knesset Candidate Thinks of Arabs*, <http://www.theatlantic.com/international/archive/2013/01/what-the-likuds-14th-ranked-knesset-candidate-thinks-of-arabs/266766/>, January 2nd, 2013

⁴⁶⁰ <http://www.ynetnews.com/articles/0,7340,L-4554583,00.html>, August 5th, 2014

⁴⁶¹ Kaufman, A., *Israeli Rabbi: It's Okay to Kill Innocent Civilians and Destroy Gaza*, http://972mag.com/nstt_feeditem/israeli-rabbi-its-okay-to-kill-innocent-civilians-and-destroy-gaza/, July 22nd, 2014

⁴⁶² Amnesty International., *Amnesty International Report 2015/6: The State of the World's Human Rights*, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/>, 2016, pp. 200

⁴⁶³ Ynet., Chief Rabbi: It is a Commandment to Kill a Knife-Wielding Terrorist, <http://www.ynetnews.com/articles/0,7340,L-4777650,00.html>, March 13th, 2016

⁴⁶⁴ Ravid, B., Netanyahu: We'll Surround Israel with Fences 'To Defend Ourselves Against Wild Beasts,' <http://www.haaretz.com/israel-news/.premium-1.702318>, February 9th, 2016

overt anti-Semitism, nullifying any constructive debate regarding the subject: “Terrorism doesn’t stem from frustration or from a lack of progress in the peace process – terrorism stems from the will to have us exterminated.”⁴⁶⁵ It is these public displays of dehumanization within the most significant domains of society that have led critics, like Gideon Levy, a former spokesperson for Israeli Prime Minister Shimon Peres, to denounce the current regime as exhibiting the first signs of unapologetic fascism; the consequences of which are nourishing an increasingly intolerant social atmosphere.⁴⁶⁶

Van Dijk contends when European parliamentarians disguise their elitist racism towards refugees and migrants, they do so via several subtle methods: referencing the lack of social resources to accommodate them, projecting a sense of apparent sympathy, or defending policies with negative impacts as “being for their own good.”⁴⁶⁷ The examples of Israeli Parliamentarians and religious leaders on the other hand, are far more candid in their depiction and attitudes towards Palestinians. Comparisons to animals like snakes and monkeys serve only to dehumanize Palestinians and are characteristic to the onset of genocidal behaviour. According to Genocide Watch, dehumanization is synonymous with equating members of a socially constructed outgroup with animals to overcome the natural human revulsion for murder and is considered a third stage characteristic of genocide.⁴⁶⁸ This comparison is not to suggest Israel is on the cusp of actually committing genocide, but along with photos of ordinary Israelis sitting by the beach, apparently revelling in the bombing of Gaza,⁴⁶⁹ and the *Times of Israel* having to apologise for momentarily publishing a blog post entitled *When Genocide is Permissible* at the height of Operation Protective Edge,⁴⁷⁰ it is little wonder some Jewish activists are concerned the country is beginning to represent Germany in 1933. As director of

⁴⁶⁵ Ravid, B., *IDF Intelligence Chief: Palestinian Despair, Frustration are Among Reasons for Terror Wave*, <http://www.haaretz.com/israel-news/.premium-1.683860>, November 3rd, 2015

⁴⁶⁶ Levy, G., in TheRealNews.com., *Gideon Levy: “Americans are Supporting the First Signs of Fascism in Israel*, http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=15951, 22nd March, 2016

⁴⁶⁷ Van Dijk, T., *Political Discourses and Racism: Describing Others in Western Parliaments* as quoted in Higgins, S (ed), *The Language and Politics of Exclusion: Others in Discourse*, Thousand Oaks, London, 1997, pp. 31

⁴⁶⁸ Stanton, G., *The 8 Stages of Genocide*, <http://www.genocidewatch.org/genocide/8stagesofgenocide.html>, accessed (12/03/2016)

⁴⁶⁹ Jerusalem Post., *Twitter Photo Showing Israelis ‘Cheering’ Gaza Bombing Goes Viral*, <http://www.jpost.com/Operation-Protective-Edge/Twitter-photo-showing-Israelis-cheering-Gaza-bombing-goes-viral-362474>, July 12th, 2014

⁴⁷⁰ The Times of Israel Staff., *Times of Israel Removes an Unacceptable Blog Post*, <http://www.timesofisrael.com/times-of-israel-removes-an-unacceptable-blog-post/>, August 1st, 2014

Settlement Watch and Peace Now, Hagit Ofran put bluntly, “I’m afraid that we’ve already gone a long way down the path.”⁴⁷¹

It is not difficult to locate concrete evidence for Ofran’s remark. From a sample of 3,789 Jews, a recent study conducted by the Research Centre in Washington D.C. found 79% thought they were entitled to preferential treatment within Israel.⁴⁷² More worryingly, nearly half (48%) agreed Arabs should be expelled from Israel; effectively condoning ethnic cleaning.⁴⁷³ Such prevailing attitudes translate into serious policy proposals. At the time of writing, Netanyahu is seeking authorization to deport families of convicted terrorists to Gaza⁴⁷⁴ like a penal colony.⁴⁷⁵ Not only does this propose punishing people on the basis of genealogy, it also entertains a policy of ethnic cleansing. The dehumanization implicit in these debates explain why 53% of respondents in another poll for the Israeli Peace Index agreed with the policy of shooting Palestinian terrorists on sight.⁴⁷⁶

The outcome of these dominant attitudes empower numerous Knesset members and cabinet ministers to suggest even more ludicrous, or potentially inflammatory policies with little public condemnation or backlash. For instance, Deputy Speaker of the Knesset and Likud lawmaker, Oren Hazan, promised to make room for the third Jewish temple by demolishing Al-Aqsa Mosque;⁴⁷⁷ an indication of how far some Jewish extremist groups who were once on the fringe of the political scene have managed to seep further into the vessels of government.⁴⁷⁸ Foreign Minister, Avigdor Lieberman, also questioned the loyalty of Israel’s Arab residents in the run up to the last election, suggesting they be metaphorically beheaded if they were against the

⁴⁷¹ Ofran, H., as quoted in *Roundtable: Young Israeli Voices from West Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture, <http://www.pij.org/details.php?id=1674>, October 24th, 2015

⁴⁷² Pew Research Centre., *Israel’s Religiously Divided Society*, <http://www.pewforum.org/2016/03/08/israels-religiously-divided-society/>, March 8th, 2016, pp. 151

⁴⁷³ Ibid, pp. 153

⁴⁷⁴ Ravid, B., *Netanyahu Seeks Attorney General’s Authorization to Deport Terrorists’ Families from West Bank to Gaza*, <http://www.haaretz.com/israel-news/1.706557>, March 2nd, 2016

⁴⁷⁵ Levy, G., *Send them to Gaza, Israel’s Penal Colony*, <http://www.middleeasteye.net/columns/gaza-israel-s-penal-colony-1876311536>, March 8th, 2016

⁴⁷⁶ The Israeli Democracy Institute., *Latest Peace Index: Israelis are “Tense but not Hysterical,”* <http://en.idi.org.il/about-idi/news-and-updates/latest-peace-index-israelis-are-tense-but-not-hysterical/>, November 5th, 2015

⁴⁷⁷ Cohen, D., & Sheen, D., *‘When I Have the Opportunity to do it, I Will’: Likud Lawmaker Vows to Demolish Al-Aqsa Mosque*, <http://mondoweiss.net/2016/02/when-i-have-the-opportunity-to-do-it-i-will-likud-lawmaker-vows-to-demolish-al-aqsa-mosque/>, February 29th, 2016

⁴⁷⁸ See Ir Amim., *Dangerous Liason: The Dynamics of the Rise of the Temple Movements and Their Implications*, http://www.ir-amim.org.il/sites/default/files/Dangerous%20Liaison_0.pdf, March 1st, 2013

state of Israel.⁴⁷⁹ Hypocritically, when Israeli-Arabs did act on their residential rights and exercise their vote, which is normally encouraged by most democracies, Prime Minister Netanyahu reacted by warning right-wing voters that Arabs were voting in “droves” as left-wing organisations ushered them to the poll booth by the bus load.⁴⁸⁰ Such inflammatory comments, along with the egregious accusation that the Grand Mufti of Jerusalem, Amim al’Husseini, was the true inspiration for Hitler’s final solution,⁴⁸¹ have done little to quell his popularity as a politician amongst the Israeli electorate.⁴⁸² Taken within the wider context of the conflict, the ability of Israeli politicians to partake in derogatory and dehumanizing rhetoric with little consequence is a reflection of a political system that caters to the cultural attitudes of its respective electorate. The multi-dimensional approach to conflict transformation Parlevliet proposes is a means to reverse these cultural trends by highlighting the inherent consequences to the dominate attitudes in Israeli culture, which are exploited by the political leadership to formulate policies that are only set to exacerbate the conflict, rather than resolve it.

5.4 Parlevliet’s Human Rights as Process Dimension

Though Lederach and Parlevliet have different names for the final mode/dimension in their respective edifices, both complement each other in how they apply these concepts in respect to protracted conflicts like Israel-Palestine. Conflict transformation under the cultural mode for Lederach seeks to understand the ways in which the ever fluctuating contours of the conflict are interpreted culturally, and how this affects a group’s response. It has been shown throughout this chapter, how the shift to the political right in Israeli politics is a result of an intrinsic fear of Arabs as terrorists, who are conceived as intruders with little claim to the land of Israel. This simplified narrative is utilised to reinforce the meta-narratives of Zionist ideology, which are propagated through multiple cultural institutions within Israeli society, including education, the army, the media, the Knesset and religious leaders. In turn, as these attitudes of moral justification and ethnic superiority harden, they create an environment where

⁴⁷⁹ Middle East Monitor., *Lieberman: Behead Arabs Who Aren’t Loyal to Israel*, <https://www.middleeastmonitor.com/news/middle-east/17398-lieberman-behead-arabs-who-arent-loyal-to-israel>, March 9th, 2015

⁴⁸⁰ Tharoor, I., *On Israeli Election Day, Netanyahu Warns Arabs Voting ‘in Droves,’* <https://www.washingtonpost.com/news/worldviews/wp/2015/03/17/on-israeli-election-day-netanyahu-warns-of-arabs-voting-in-droves/>, March 17th, 2015

⁴⁸¹ Netanyahu, B., *PM Netanyahu at the 37th Zionist World Congress*, IsraeliPM, <https://www.youtube.com/watch?v=mZbMf7vDU6g>, October 20th, 2015

⁴⁸² Finkelstein, N., Interview, 25/11/15

negative attitudes towards Arabs are solidified and become a source of policy;⁴⁸³ to the extent that they are harnessed and manipulated during elections.⁴⁸⁴ Politicians pander to these fears of terrorism. Netanyahu's own source of electoral strength has always been his ability to preserve relative security for the average Israeli; a guarantee which has recently eroded⁴⁸⁵ as with the appearance of extreme far-right groups demonstrating outside his residence chanting of "Death to Arabs."⁴⁸⁶ Some critics within Israel see these abhorrent chants as a manifestation over the past few years to stir up a revengeful atmosphere that endorses killing terrorists.⁴⁸⁷ The consequence of these attitudes is that it drives the Israeli political machine into smaller avenues in which to manoeuvre, as the self-righteous belief in resettling the West Bank is increasingly conflated with a religious interpretation of Jewish orthodox law to conserve the Jewish nationalist identity of Israel.⁴⁸⁸ Israel's politicians have become trapped by the infiltration of once marginal extremists who are now deep inside the establishment.⁴⁸⁹ Simultaneously, Palestinians perceive a lack initiative amongst Israeli politicians to implement a two-state solution, leading to disillusionment with the peace process and increased uncertainty concerning their own security and personal safety:

"Where there is occupation and infringement of human rights and dignity, there will always be resistance, be it violent or peaceful. The only difference this time is that it comes after six years of an extreme right-wing rule in Israel. One that is dominated by leaders of criminal settler groups. This is translated in the accelerated building of illegal settlements, increased settler violence against Palestinians and extreme incitement against non-Jews by Israeli political and religious leaders."⁴⁹⁰

⁴⁸³ Verter, Y., *For Netanyahu, Hatred of Arabs is a Matter of Policy*, <http://www.haaretz.com/israel-news/.premium-1.702797>, February 13th, 2016

⁴⁸⁴ Haaretz., *Netanyahu Vowed to Turn 'Mizrahi Hatred of Arabs' into Votes, Veteran Reporter Claims*, <http://www.haaretz.com/israel-news/1.703351>, February 15th, 2016

⁴⁸⁵ Harel, A., *Israel is Beginning to Eat its Own*, <http://foreignpolicy.com/2016/02/22/israel-eats-its-own-palestine-violence-intifada-netanyahu-livni-herzog-lapid/>, February 22nd, 2016

⁴⁸⁶ Hasson, N., *Right-wing Protestors March in Jerusalem, Chant 'Death to Arabs,'* <http://www.haaretz.com/israel-news/.premium-1.679520> March 8th, 2015

⁴⁸⁷ Uziel, E., as quoted in *Roundtable: Young Israeli Voices from West Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture, <http://www.pij.org/details.php?id=1674>, October 24th, 2015

⁴⁸⁸ Leon, N., *Ethno-religious Fundamentalism and Theo-ethnocratic Politics in Israel*, Studies in Ethnicity and Nationalism, Vol. 14, No. 1, 2014, pp. 20

⁴⁸⁹ Schwartz, H., as quoted in *Roundtable: Young Israeli Voices from West Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture, <http://www.pij.org/details.php?id=1674>, October 24th, 2015

⁴⁹⁰ Marouf, M., in Palumbo-Liu, D., *"They Think They Have Nothing More to Lose": Young Palestinians on the Frustration and Oppression Fuelling the Current Wave of Protests in Israel*, http://www.salon.com/2015/11/06/they_think_that_they_have_nothing_more_to_lose_young_palestinians_on_the_frustration_and_oppression_fueling_the_current_wave_of_protests_in_israel/, November 6th, 2015

Paradoxically, as the Israelis persist in undermining the two-state solution and drive Palestinians into ever smaller, densely populated enclaves, they create space for more expansive discourses into notions of a single or bi-national state. The emerging switch to a human rights-based discourse appeals to universal notions of equality and accountability as a means to prepare for an uncertain future. Moreover, it opens up opportunities for discussion by circumnavigating the political and ideological constraints, which substantiate the various forms of structural and cultural violence discussed above. Landy's analysis, especially, notes this applies to Jews as well as Arabs since Jewish anti-occupation objectors refer to human rights "to free themselves of Zionism and engage in activism."⁴⁹¹ The universality of human rights is a pragmatic discursive tool to emancipate debate from the socio-psychological barriers prolonging the conflict, which pertain to a pre-existing repertoire of rigid beliefs that result in selective information processing.⁴⁹² Parlevliet's holistic approach in calling to consider conflict transformation alongside human rights, therefore, offers an invaluable academic avenue to address a fundamental flaw in adopting a U.S. or South African rights based model. Such models have limited applicability when applied to Israel-Palestine since they fail to articulate the loss of, not only Palestinian rights and land, but also the very "context that enables them to demand these rights in a way that makes sense."⁴⁹³ In terms of conflict transformation, this entails building an actual culture of human rights. Insofar as they not only permeate mainstream thought patterns, but are consecrated as the embodiment of modern pluralistic societies.

"This involves matters of governance, law and institutional reform, as well as the internalisation of rights norms, values and principles so that these guide people's behaviour, attitudes, and belief systems in relation to self, others and the state."⁴⁹⁴

⁴⁹¹ Landy, D., *Talking Human Rights: How Social Movement Activists are Constructed and Constrained by Human Rights Discourse*, *International Sociology*, 28(4), pp. 424

⁴⁹² Halperin, E., Oren, N., & Bar-Tal, D., *Socio-Psychological Barriers to Resolving the Israeli-Palestinian Conflict: An Analysis of Jewish Israeli Society*, in Bar-Simon-Tov, Y (ed.), *Barriers to Peace in the Israeli-Palestinian Conflict*, http://www.kas.de/wf/doc/kas_22213-1522-2-30.pdf?110316110504, 2010, pp.

⁴⁹³ Zreik, R., *Palestine, Apartheid and the Rights Discourse*, *Journal of Palestine Studies*, 34(1), 2004, pp. 78

⁴⁹⁴ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 10

Conclusion

At the outset of this investigation, the groundswell of human and civil rights discourse amongst Palestinians was shown to be a result of the incompatible trajectories of the PA and Israeli leaderships. This switch is currently in the process of emerging from the political impasse jeopardising any possibility of a solution in the short term. It was argued, the undergoing metamorphosis of the Palestinian objective from nationalism to rights is a form of conflict transformation; a relatively new theoretical approach to resolving conflicts, especially those with an endemic, asymmetric character such as Israel-Palestine. As a concept, conflict transformation proves a practical alternative to the currently stalled peace process by introducing a transformative approach to the conflict with a focus on long and short term goals. Lederach's four modes provided a conceptual framework in which to situate these fluctuating objectives in the context of the Israeli-Palestinian conflict. Parlevliet's article provided the bridging material to connect the practice of conflict transformation with the rhetoric of Palestinians at the grassroots level, as she outlined a mirror edifice which expanded Lederach's modes by paralleling their relevance alongside human rights. Placing Lederach and Parlevliet's edifices alongside each other, and connecting their individual components to their respective counterparts set up a platform in which to situate the Israeli-Palestinian conflict in its current climate. This not only filled an important academic gap by discussing the recently morphing contours of the conflict within a fresh theoretical framework, but additionally, and more importantly, traced the holistic and multidimensional purpose of employing a human rights discourse to relieve the pressures on the Palestinian experience.

The primary focus of this thesis has been to analyse each dimension of Parlevliet's edifice to highlight the interconnectivity of the various normative issues exacerbating the conflict. It showed how human rights provides a theoretical vehicle to confront these issues by readdressing cultural attitudes that legitimate structural violence, which ultimately produce direct confrontations. The cyclical nature of this process constantly reproduces itself. Driving the conflict into ever tighter spaces, it hinders the political malleability for each leadership to appeal to alternative approaches, further entrenching the current status quo.

Taking the practise of house demolitions as its starting point, this thesis pointed out the emotional, psychological and physical trauma this has on those displaced to make way for Jewish settlers. Depressive disorders like "bulldozer syndrome" have arisen in conjunction with the threat of demolition, seriously hampering the mental well-being of Palestinian adults

and children alike. In relation to the second mode, the displacement of Palestinians from places like East Jerusalem and Area C into a limited set of enclaves throughout the West Bank has resulted in less interaction between both sides. This forced separation, as part of Israel's settlement and security policy, drives an increasingly existential wedge between the two groups, limiting any possibility for mutual, meaningful and respectful interaction to take place. Contact theory was drawn upon at this stage of the investigation to highlight how the fundamental drivers of prejudice are evident in the Israeli-Palestinian context. This process, in itself, then forms part of the structural architecture which enforces this separation. Creating thousands of individual cases of human loss and trauma, laws dating back to the founding of Israel set the legal parameters of who is and is not a citizen of the state.

The main objective of the analysis here was showing the separation of the Palestinian experience into East Jerusalem, the West Bank, and the Gaza Strip and how these three areas are each controlled differently, under a variety of strategies, varying in severity. It is the differing experiences under the weight of the Israeli political and security machine, which contributes most to the fragmentation of the Palestinian people. Galtung's theory of structural violence aided the study's ability to contextualise this phenomenon in regards to the conflict. These structures were finally revealed to be set in a cultural attitude, which fundamentally values the principles of Zionist ideology over the prospect of a Palestinian state, and the well-being of Jews over equality between Arabs. A major aspect of the cultural dimension was a disillusionment on the Palestinian side towards the Israeli leadership's intention to resolving the conflict via the internationally sponsored two-state solution. The seeds of this doubt were located beyond the physical expansion of the settlement enterprise in the West Bank, and more in the national and ideological psyche of the overall Israeli electorate. The Zionist agenda to secure a Jewish majority in Israel at the expense of the rights of others enables politicians to exploit fears of terrorism and ambition to claim the West Bank as an integral part of the Greater Israel project. This meta-narrative is then enriched by multiple institutional narratives which negate the very existence of a Palestinian people, dismiss their claim to the land and equate them with terrorists.

The cyclical nature of this process is observed in the current wave of violence. For, as the demonization of Palestinians is disseminated throughout multiple institutions, it reproduces a cultural tendency to devalue the rights of the significant other. This enables politicians to exploit this attitude for political gain and policymakers to codify inherently prejudiced laws, which are accepted as common sense since they align with the prevailing Zionist ideology. The

common sense understanding legitimating these policies continue to compromise the basic rights of the average Palestinian and contribute significantly to the forced separation between the two ethnicities. As separation is enforced, it aggravates the gulf in economic status and prospects, creating a vacuum which is ultimately filled by ignorance and frustration. This poisonous environment is manifested in incidences of sporadic direct violence, which create further personal losses on each side. As these incidents of direct violence become more frequent and fatal, they further harden the already solidified Arab prejudices amongst the public. Israel's leadership is then forced to tighten its security policy to appease the fears of its electorate. In turn the Palestinian experience is further exasperated, creating a breeding ground for more disgruntled Palestinians to manifest their frustration through violence.

It is for these reasons that the immediate future of the conflict is on a collision course for an extended period of direct violence. An observation encapsulated by the current fears of a third *Intifada*.⁴⁹⁵ Since a significant proportion of the Israeli public is unable to acknowledge the rights of Palestinians, to the extent that a vast majority do not understand the analogy with Apartheid South Africa,⁴⁹⁶ the likes of Netanyahu are forced to react to such violence by proposing more stringent security measures and more separation, which only amount to more cultural and structural violence. Nietzsche once argued, "Madness is rare in individuals – but in groups, parties, nations, and ages it is the rule."⁴⁹⁷ Considered alongside Einstein's definition of insanity as the process of repeating the same actions and expecting different results, further structural and cultural violence only generates more civilian clashes and direct violence, which will inevitably reciprocate the same reaction from the Israeli leadership *ad infinitum*. The Israeli state is thus cornering itself into tighter political spaces in which to introduce alternative approaches to managing the conflict, limiting the ability of more cooperative policies to be given a serious platform. At the same time, whilst some of the PA's members confide in the impracticality of the two-state solution in private, the institution still maintains its importance in public so as not to compromise its legitimacy on the international stage. Hence, both leaderships are guilty of overlooking conventional wisdom as they continue to entertain policies and rhetoric which have so far only yielded more violence, more heartache and more extremism. The continuation of this status quo is comparable to a supernova. For, just as the death of a star eventually erupts as a result of the immense pressure created in an ever

⁴⁹⁵ Carlstrom, G., *Can Anyone Prevent a Third Intifada*, <http://foreignpolicy.com/2015/10/14/can-anyone-prevent-a-third-intifada-israel-palestine/>, 14th October, 2015

⁴⁹⁶ Schenker, H., Interview, 7/9/15

⁴⁹⁷ Nietzsche, F., *Beyond Good and Evil*, Vintage Books, New York, 1886, pp. 90

concentrated space, the current trajectory of the Israeli-Palestinian conflict is spiralling into an ever denser environment of prejudice, marginalisation and exasperation. Literally one week before the first knife attack on the 13th September 2015, Palestine-Israel Journal co-editor, Hillel Schenker, warned the current status quo was “unsustainable” and ready to “explode.” Criticising Israel’s management of the conflict, Schenker conceded, “This is their preferred option in the short term. There is a lack of readiness to make long term decisions.”⁴⁹⁸ The spate of violence which has terrorised the country since has been counteracted in the very ways shown above: transfer, stripping of rights, collective punishment and extrajudicial killings. Measures only set to intensify feelings on both sides until they erupt again.

At the same time, it must be noted that like any other tactic, the adoption of a human rights-based discourse is not without its drawbacks. For instance, if Israel were to hypothetically abide by international law, it would theoretically have to allow all Palestinian refugees to return, sacrificing the current Jewish majority, and in turn seriously undermining the conception of a Jewish state. Moreover, for the PA or Hamas to appeal to the Human Rights Council on the basis of Israeli violations, given their own non-adherence to this body of law, would not only appear hypocritical but could even further jeopardise the already tarnished reputation of human rights. A lot of cynicism concerning the concept of human rights in the UN already exists as it is,⁴⁹⁹ without the institution entertaining the complaints of two leaderships who are also guilty in committing countless human rights violations against their own peoples.⁵⁰⁰

Herein, therefore, lies a major weakness in the efficacy of the human rights discourse. If all concerned parties are guilty of inflicting violations, then it appears to be a moot point in who could actually petition for Israel to abide by its legal obligations. Both the PA and Hamas would in effect be launching an investigation into their own practises if they were to formally file a complaint to the commission. No political representative in either Palestinian leadership is in a position to voice the human rights concerns of the people since these same officials are just as culpable as those they would impeach.

⁴⁹⁸ Schenker, H., Interview, 7/9/15

⁴⁹⁹ Etkes, D., Interview, 5/7/15

⁵⁰⁰ See Amnesty International., *‘Strangling Necks’: Abduction Torture and Summary Killings of Palestinians By Hamas Forces During the 2014 Gaza/Israel Conflict*, <https://www.amnesty.org/en/documents/mde21/1643/2015/en/>, 2015, & Jerusalem Institute of Justice., *Hidden Injustices: A Review of Palestinian Authority and Hamas Human Rights Violations in the West Bank and Gaza*, <http://ijj.org.il/wp-content/uploads/2015/03/Palestinian-Human-Rights-Violations-in-West-Bank-and-Gaza.pdf>, 2015

Consequently, questions remain as to how effective human rights is in such a context where all major political stakeholders are guilty of violations. Like any other tactic, solution or strategy, human rights-based discourse closes, as well as opens up, certain avenues of action. What exactly are the implications of such a discourse on the legitimacy and security of the current Palestinian leaderships? Is the lack of a political representative to spearhead the groundswell discourse into a movement responsible for the lack of organisation? To what extent is the adoption of this discourse a reaction to the failure, shortcomings and discrepancies of the PA and Hamas? Moreover, to what effect does this phenomenon bear on the international community's role in the conflict? Will the U.S. be able to maintain its mediation role in negotiations if a resolute, coherent civil rights movement transpires? Would the formation of an organised human rights movement have any immediate reputational or publicity consequences on the U.S., given the latter are often accused of bias towards Israel? Could it provide an avenue for the likes of the EU to play a more pivotal role in the political outcome of the conflict? These questions illustrate the wider implications of what a more refined and established human rights movement has for all internal and external stakeholders.

As pointed out in the introduction, it was not the intention of the following thesis to extol the virtues of human rights as the conflict's unknown solution. Rather, it was to highlight the existence of such a social phenomenon and discuss how it related to several important issues prolonging the conflict. Civil rights movements are by no means a guaranteed winning formula. Often requiring time to develop into a significant political and social force, a successful civil and human rights movement would entail Palestinians completely abandoning a significant national movement, which took decades to legitimise, and effectively start again with a new platform of objectives based on equality. For a lot of already weary Palestinians, such a proposal would be to give up a life-long ambition for a movement which has no political endorsement, nationally or internationally, and has little clear strategies in how it is to attain its objectives. Haitham Khatib sided with this view in stating, "a political solution was most important... We can get human rights after a state."⁵⁰¹ Despite Khatib's view contradicting the main narrative of this thesis, his statement pertained to a further implication of what states and human rights can or cannot achieve. Would states guarantee human rights? Looking at most contemporary Middle East states the evidence would suggest not. At the same time, states are not infallible or permanent phenomena. They constantly change and mutate as the near

⁵⁰¹ Khatib, H., Interview, Skype, 10/12/2015

disintegration of Iraq, Syria and Libya in the region also illustrates. Some Palestinians understand this and acknowledge “a state would not end their suffering. They are looking towards an agenda that has a clear relation to their problems.”⁵⁰²

Adopting a human rights discourse, therefore, is a pragmatic reaction to the reality of the political impasse and a transformative method that enables the readdressing of normative issues at the micro level to potentially effectuate change at the macro level. “It recognizes that human rights exist in a social context and are reciprocal, and that ‘recognition of the other,’ is a core value of human rights.”⁵⁰³ As shown throughout, its applicability extends beyond mere adherence to the law and encompasses fundamental issues located in the cultural psyche of others. Alongside the rudimentary principles of conflict transformation theory, it is more about overhauling the systems and thought processes sustaining and deepening the conflict, rather than just making the corporeal aspects more bearable. The importance of this cannot be understated since it encapsulates the pragmatism in aiming to achieve long term structural reforms through short term, direct initiatives. If a more respectful culture of human and civil rights is fostered, it will open up avenues and social contexts for Arabs and Jews alike to meet on more amicable terms, enabling more constructive discourses into transforming the conflict to flourish. Sometimes peace processes need to take a step back and concentrate less on reaching conclusive resolutions and focus more on reshaping relationships to achieve more positive interactions and cultivate a shared peaceful understanding.⁵⁰⁴ Nowhere is this more imperative than in the Holy Land where people on the ground view the current situation as a state of “political chaos,” and where both Palestinian and Israeli leaderships are unable to define what they want.⁵⁰⁵ For Palestinians on the ground, human rights offer an alternative discourse to the U.S. led peace dialogues. Negotiations that have led their own leadership to seemingly abandon the Palestinian diaspora in labelling the possible return of the refugees as illogical.⁵⁰⁶ They have learned to appreciate the fact that a fair and sustainable peace will

⁵⁰² Pappe, I., Interview, 19/8/2015

⁵⁰³ Parlevliet, M., *Rethinking Conflict Transformation from a Human Rights Perspective*, http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Articles/parlevliet_handbook.pdf, September 2009, pp. 10

⁵⁰⁴ Mnookin, R., *The Israeli-Palestinian Conflict: Is There a Zone of Possible Agreement (“ZOPA”)?*, <http://www.inss.org.il/uploadImages/systemFiles/The%20Israeli-Palestinian%20Conflict%20Is%20There%20a%20Zone%20of%20Possible%20Agree.pdf>, 2011, pp. 223

⁵⁰⁵ Unnamed Participant., *Young Palestinian Voices from East Jerusalem*, Palestine-Israel Journal of Politics, Economics and Culture (PIJ), Vol. 21, No. 2, 2015

⁵⁰⁶ Mazen, A., *Meeting Minutes – President Abbas Meeting with the Negotiations Support Unit*, <http://transparency.aljazeera.net/en/projects/thepalestinepapers/201218205622953732.html>, March 24th, 2009. This shocking revelation was discovered when leaked along with a collection of other classified

depend on their insistence of their own rights in accordance with international law.⁵⁰⁷ The important interrelation underpinning this projection is the dual focus on the responsibilities of the state alongside its citizens. Israel's rich democratic traditions mean its citizens license the state to act accordingly. A human rights discourse aims to transform the perspective of citizens to necessitate changes in state practise. By constructing new narratives steeped in human rights discourse, it is anticipated new conceptualisations will emerge which pitch relations to the significant other on an equal platform. In turn, transformations in individuals at the micro level are hoped to hold the key "to modifying the existing conditions that maintain and exacerbate the conflict between Israelis and Palestinians across generations."⁵⁰⁸ This is not based on the eventual achievement of a Palestinian state, a bi-national state or a single state. It is more a mechanism to foment friendlier relations in aiding a harmonious transition to whatever solution is eventually implemented. In uncertain and hostile times such as these, human rights reintroduces a very simple and poignant message. A modest truth swept aside by the tide of conflict. Simply:

"Palestine does not belong to the Jews and it does not belong to the Arabs, nor to Judaism or Christianity or Islam. It belongs to all of them together: it is the Holy Land."⁵⁰⁹

documents detailing negotiations between the Israeli, Palestinian and American leaderships from 1999-2010. In another document, Palestinian Chief Negotiate Saeb Erekat states the Palestinian people will have to learn all 5 million refugees will not be able to retain, nor will they be granted the chance to vote on the possible settlement with the Israelis.

<http://transparency.aljazeera.net/en/projects/thepalestinepapers/201218211125875573.html>, October 21st, 2009

⁵⁰⁷ Falk, R., Human Rights and Israel-Palestine, Arena Magazine, Oct/Nov 2013, pp. 39

⁵⁰⁸ Hammack, P., *Identity, Conflict, and Coexistence: Life Stories of Israeli and Palestinian Adolescents*, Journal of Adolescent Research, Vol. 21, No. 4, July 2006, pp. 324

⁵⁰⁹ M, Buber 1929., in T Kushner & A, Solomon (eds.), *Wrestling with Zion: Progressive Jewish-American Responses to the Israeli-Palestinian Conflict*, Grove Press, New York, 2003, pp. 19

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Erekat, S., Chief Palestinian Negotiator, Face to Face Interview, Jericho, 1/7/15

Etkes, D., Free lance journalist and prominent activist, Face to Face Interview, West Jerusalem, 5/7/15

Finkelstein, N., Outspoken critic, peace activist, former lecturer in political science at DePaul and New York University and author of multiple books pertaining to the conflict, Skype Interview, 25/11/15

Keller, A., Israeli peace activist, founder of NGO Gush Shalom and author of *Terrible Days: Social Division and Political Paradoxes in Israel*, Skype Interview, 2/9/15

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Hamad, A., Director of political science at Birzeit University, Ramallah, Face to Face Interview, Birzeit University, Ramallah, 8/7/2015

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Juma, J., Peace activist and founder of the Stop the Wall Campaign, Skype Interview, 24/8/15

Peled, M., Israeli peace activist and author of *The General's Son: Journey of an Israeli in Palestine*, Email Exchange, 26/11/15

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Steinberg, G., Professor of political science at Bar Ilan University and founder of NGO Monitor, Face to Face Interview, Jerusalem, 10/8/15

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